CE $1.00

JULY 21, 1978

BAKKE: Enduring Question

NATIONAL REVIEW

Judicial Imperialism:

THE SUPREME COURT'S ABUSE OF POWER IN THE SCHOOL BUSING DECISIONS

LINO A. GRAGLIA

PROPOSITION 13

Winners & Losers

JAMES BURNHAM

How The Scare Tactics Backfired

TOM HAZLE

Is Mexico's Watergate Fizzling Out?

JETTISON SMITH

M SMTH779R- 007 7815 - 1 40 -

ROY E SMITH
PO BOX 1779
COLORADO SPGS CO 80901

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FOR $6645* YOU CAN BUY A CHEAP CAR. OR AN EXPENSIVE ONE.

It's no longer true that you get what you pay for.

At least, it isn't true among the 1978 models. That's because—for about the same money—you can become the disappointed owner of a cheaply made car or the satisfied owner of one that's well made.

Luckily, the cheap ones can give themselves away to anybody who bothers to look closely. Doors, hood and trunk lid don't fit properly. The paint job is dribbled in some places, spotty in others (especially on top of the hood). The trunk is a wasteland of raw, unfinished surfaces. Rattles are constant companions.

Volvos, on the other hand, are known for being solidly built and painstakingly finished. And Volvo owners confirm it. In a recent independent national survey, a significantly higher percentage of owners of new Volvos rated their cars "excellent" in terms of overall quality of workmanship than did the owners of all 57 American makes surveyed†

The amazing thing is that, for the price of many of the cheap cars, you can own an expensively built, well-equipped Volvo...the 1978 Volvo 242 in a dealer's showroom near you.

Why settle for less when the price is no more?

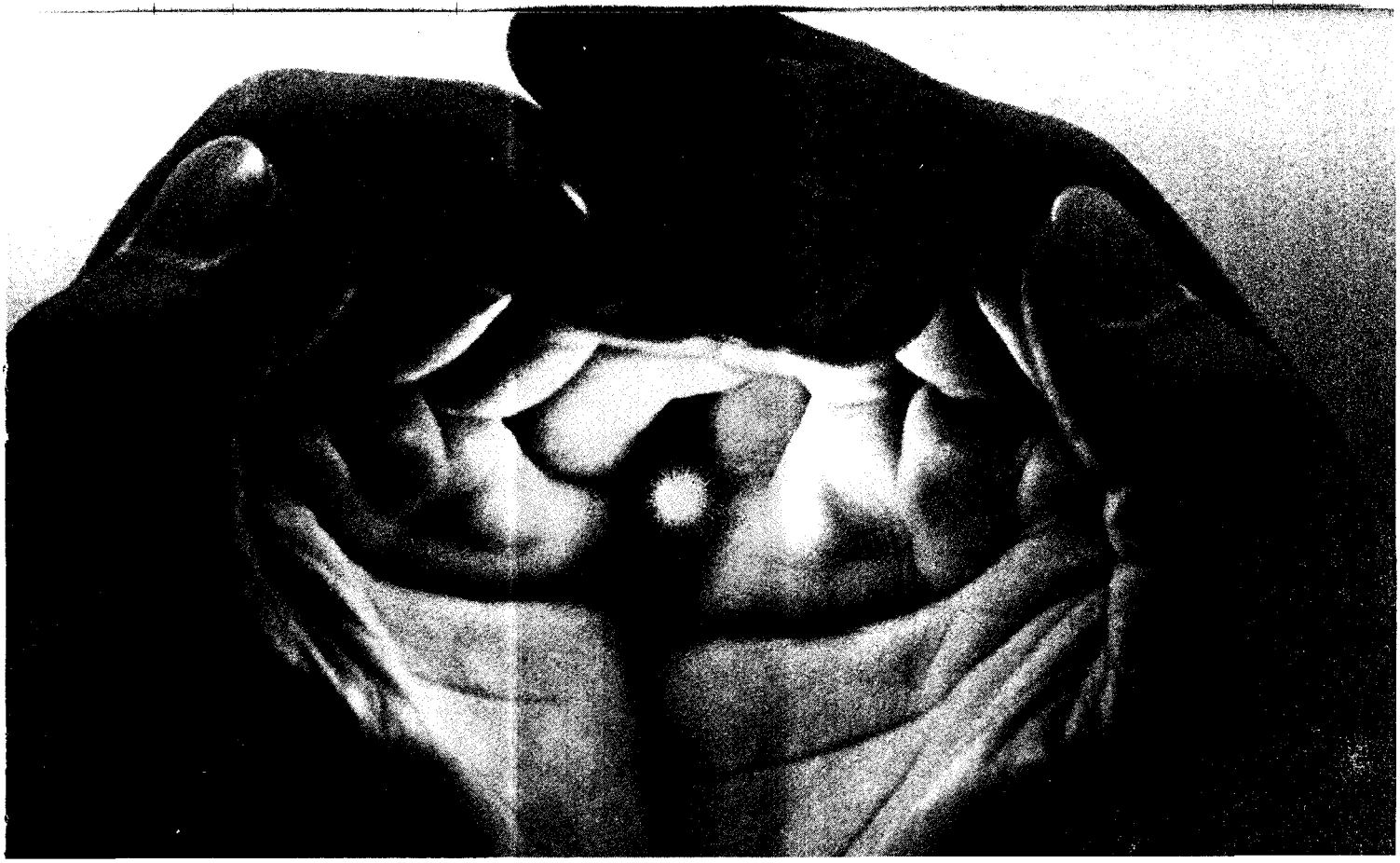
VOLVO

*Suggested retail price P.O.E. for the Volvo 242, local taxes, dealer preparation, delivery charges and "Lambda Sond"™ emission control system additional. †Survey of owners of new cars bought in May, 1977.

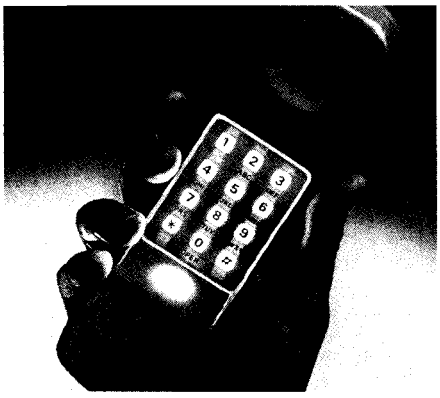
©1978 VOLVO OF AMERICA CORPORATION. LEASING AVAILABLE.

VOLVO. A CAR YOU CAN BELIEVE IN.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



The longest lasting light under the sun.



Imagine a light bulb with a life expectancy of from 20 to over 100 years of continuous operation. One that ran on 1/10 the energy of a regular light bulb and virtually never needed replacement.

Light-Emitting Diodes

Such a light actually exists. It's called a light-emitting diode (LED) and in the last few years, these tiny lights have become an important part of your phone system.

Western Electric started manufacturing LED's in 1972. And since then, working with Bell Labs, we've discovered hundreds of new uses for them that have saved Bell telephone users millions of dollars.

Practical Applications

Take Western Electric's Trimline® telephones. To light the dial in our new models, we replaced the old incandescent bulbs with longer-lasting LED's. And since LED's may last up to 50 times longer, telephone companies' installation and maintenance costs have been reduced significantly.

Another way LED's save money is by saving energy. They consume about 1/10 the energy of incandescent bulbs.

And LED's can withstand the inevitable bumps and bruises that telephones always seem to receive.

LED's have also played a vital role in the development of new features and services in some of Western Electric's most sophisticated telephone equipment.

The Dimension® PBX console, for example, contains heat-sensitive solid-state equipment. A lot of these circuits could not stand up to the high temperatures of incandescent bulbs.

LED's, on the other hand, operate at temperatures low enough so as not to damage the nearby circuitry.

These advantages, along with long life, give product designers more flexibility. And that permits us to build more features and services into the equipment we produce for Bell System customers.

Continuing Innovation

Today, over 300 different types of Bell System equipment utilize LED's.

Innovations like this are the result of close collaboration between Western Electric, Bell Labs and your local Bell telephone company.

Working together to keep your phone system the best in the world.

Western Electric

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NATIONAL REVIEW

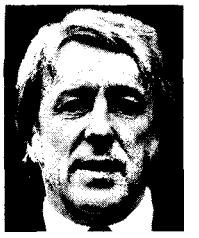
JULY 21, 1978
VOL. XXX, No. 29
ISSN: 0028-0038

BURNHAM
Page 886

HAZLETT
Page 887

GRAGLIA
Page 892

KIRK
Page 899



MARTIN
Page 900

EVANS
Page 911

ARTICLES & COLUMNS

886 **Proposition 13: Winners and Losers**
Never mind, for the moment, the long-run impact and significance. What's happening to Californians now? *James Burnham*

887 **The Scare Tactics That Backfired**
One man's poison was another man's meat: the more the public sector shrieked, the more the public liked the prospect of a meat-axe. *Tom Hazlett*

892 **Judicial Imperialism: The Supreme Court's Abuse of Power**
In the real world of judicial review, the Constitution is not simply "applied" to acts of the legislative branch: usually there is nothing in the Constitution that bears on the act in question. Instead of presuming that where the Constitution is silent the law is constitutional, the Courts have in recent years used that silence to impute to it, ventriloquially, their own social predilections. And they have gotten away with it, as witness the Supreme Court's rulings in the matters of desegregation and busing.
Lino A. Graglia

897 **Is Mexico's Watergate Fizzling Out?**
President José López Portillo took office with promises to reform the government's pervasive corruption. Unfortunately, the reform measures have proved, as one citizen put it, "all gums and no teeth."
Jettison Smith

899 **Cutting the Apron Strings**
How to escape from liberalism—through liberal education. *Russell Kirk*

900 **De-Churching Christianity**
As the history and theology of traditional Christianity grow embarrassing, many of its spokesmen are trying to reduce it to its socially redeeming value. *Malachi B. Martin*

BOOKS ARTS & MANNERS

901 **Censorship, Stereotypes, and Other Fine Things**
In the bad old days, state censors simply cracked down on obscenity, sedition, heresy, and other evils. Under the liberal regime, however, while decorum is ostensibly more "permissive," the censoring function is built right into artistic performance. One result is that we think we're seeing Shakespeare when we are really seeing the functional equivalent of Colley Cibber. (Remember him?) *M. J. Sobran Jr.*

907 **On Vapid Grounds**
Alfred Kazin serves up a lumpy memoir.
Mitchell S. Ross

908 **Dog-Day Distemper**
The Last Waltz stumbles. *Grease* is too slick. *Jaws 2* lacks bite. *A Different Story* is indifferent. *John Simon*

909 **A Day in Court**
"You want a cheap ticket: take your date to court next time." *D. Keith Mano*

866 **Letters**
872 **For the Record**
874 **The Week**
888 **Help**
911 **Dark Horses**
916 **On the Right**
918 **Trans-O-Gram**

Cover design by James W. O'Bryan

NATIONAL REVIEW is published weekly, except for one issue in January, by National Review, Inc., at 50 Emmett St., Bristol, Conn. Second-class postage paid at Bristol, Conn.

© National Review, Inc., 1978.

Address all editorial mail, manuscripts, letters to the editors, etc. to Editorial Dept., NATIONAL REVIEW, 150 East 35th St., New York, N.Y. 10016. Address all subscription mail orders, changes of address, undeliverable copies, etc., to Circulation Dept., NATIONAL REVIEW, 150 East 35th St., New York, N.Y. 10016. Adjustment requests should be accompanied by a current mailing label or facsimile.

RATES: *$34.00 a year ($19.00 for the 48-page issues, and $15.00 for 8-page issues published on the alternate weeks). Add $2.00 for Canada, $4.00 for other foreign subscriptions, per year. The editors cannot be responsible for unsolicited manuscripts unless return postage, or better a stamped, self-addressed envelope, is enclosed. Opinions expressed in signed articles do not necessarily represent the view of the editors.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE INFORMATION CRISIS.

If you pick up a newspaper these days, it's easy to walk away with the impression that there's a world-wide shortage of everything.

There is an energy crisis and a food crisis and any number of other crises, all caused by vanishing resources.

But there is one that involves not a shortage, but an excess. A crisis where the resource isn't dwindling, but growing almost uncontrollably.

That resource is information.

Consider: Seventy-five percent of all the information available to mankind has been developed within the last two decades. Millions of pieces of information are created daily. And the total amount is doubling every ten years.

The problem, as with any crisis, is one of management. With fuel, it's a question of making proper use of too little. With information, it's making proper use of too much.

With 72 billion new pieces of information arriving yearly, how do you cope with it all? How do you gather it, edit it, disseminate it, store it and retrieve it?

At Xerox, our business is solving problems like these.

With electronic input systems that let you quickly create, edit, and store information.

Copiers and duplicators that reproduce it. Telecommunicators and communicating typewriters that disseminate it.

Even electronic printers that let you retrieve information directly from computers, and print it out with laser beams.

You see, Xerox doesn't just copy information anymore. We help you manage it.

The purpose of it all is simple: to help you make good use of information, instead of being overwhelmed by it.

And to help reduce, if only by one, the number of crises in the world.

XEROX

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NR
NATIONAL REVIEW

William F. Buckley Jr. *Editor*

William A. Rusher *Publisher*

James P. McFadden *Associate Publisher*

Editors
James Burnham / Jeffrey Hart
M. J. Sobran Jr.

Priscilla L. Buckley *Managing Editor*
Linda Bridges *Assistant Managing Editor*
Frances Bronson *Executive Secretary*

Contributing Editors
Ruth Berenson
John R. Coyne Jr. *(Washington)*
W. H. von Dreele
M. Stanton Evans
Ernest van den Haag
Norman B. Hannah / Nika Hazelton
James Jackson Kilpatrick
Kevin Lynch *(Articles)*
D. Keith Mano / Malachi B. Martin
Alan Reynolds
William F. Rickenbacker
Francis Russell / John Simon
Chilton Williamson Jr.
(Books, Arts, & Manners)

Associates
Richard Brookhiser
Paul Gigot / Carol B. Learsy
Jane Buckley Smith
Jeanne Wacker Sobran
Timothy J. Wheeler

Robin Wu *Research Director*
James W. O'Bryan *Art Director*
Anna Lieber *Production Editor*
John K. Syze *Circulation Manager*

Advertising Director
Robert F. Sennott Jr.

Assistant Publisher
Edward A. Capano

Contributors
Aram Bakshian Jr.
David Brudnoy / John Chamberlain
Jack Chatfield / Samuel T. Cohen
Miles Copeland
Neal Freeman / Victor Gold
John Greenway / Henry Hazlitt
John Kiley / Nicholas King
Suzanne La Follette / Mary Martínez
Forrest McDonald
Vincent Miller / Ferdinand Mount
George Nash / Gerhart Niemeyer
Daniel Oliver
Morrie Ryskind / William S. Schlamm
Ralph de Toledano
S. L. Varnado
Charles Wallen Jr.
George F. Will / Peter P. Witonski
Edwin M. Yoder Jr.

Foreign Contributors
Anthony Lejeune *London*
Erik von Kuehnelt-Leddihn *Munich*
Taki Theodoracopulos *Athens*
Donald Coxe *Toronto*
Nena Ossa *Santiago*
Robert S. Strother *Cuernavaca*

Letters

The Voice of the Prophet

What a difference there is between the entire speech of Solzhenitsyn, as published in your July 7 issue, and the snippets of it that had appeared elsewhere! As you so rightly say in your remarks on the contents page for that issue, it would have been hard for anyone who wasn't at Harvard that day to learn that the speech was not a diatribe against rock music (in fact, that took up less than one line of type), or a call for theocracy, or something of the sort.

Not that this is an easy speech to deal with. But then prophets are never easy to deal with, and Solzhenitsyn is a prophet. I believe he may well, for his own reasons, dislike the industrial society as such, not merely for its side-effects. Most of us would find it hard to follow him all the way there. But although I myself, for example, would not get very far claiming to be some sort of ascetic, I have to say that the questions Solzhenitsyn forces us here to ask ourselves are the questions anyone concerned about the welfare of his soul should be asking himself anyway; but they are questions that it's easy—and far more comfortable—to forget until this tremendous creature comes and makes us listen, whether we intended to or not.

Chicago, Ill. JULIE WILCOX

Correction

In "For the Record" [May 26], you identify me as "Economist Pierre Rinfret, who speaks for the conservative National Association of Manufacturers."

The Economic Impact study to which you allude in that item was written by Rinfret Associates, Inc., and was funded by more than a hundred different organizations. The NAM had only a minor role in the funding of the report, and under no circumstances whatsoever do I "speak for" the NAM.

Our report was produced under an agreement between ourselves and the sponsors which specified that the sponsors would have no input, right to edit, right to approve or disapprove, to suggest modifications, or to see and pass upon the final report.

I thought you would like to know that American business, in this case, was more than willing to fund an independent, objective analysis.

New York, N.Y. PIERRE A. RINFRET

The Church and Our Time

How refreshing it was to read Malcolm Muggeridge's words ["If I Were Pope," June 9] concerning the preservation of the true liturgy—phrases which sound out like the strains of a Bach cantata to a Church seemingly infected with Saturday night fever.

That the essential elements of worship "should convey a sense of permanence, and, in a world largely given to the transient pursuits of Time, a sense of Eternity" speaks profoundly not only to Roman Catholics, but to all Catholic and liturgical churches, i.e., Lutherans, Anglicans, and Orthodox.

Perhaps through the efforts and prayers of churchmen and laypersons with the insight of Mr. Muggeridge, and by the grace of God, we shall be empowered to transcend the "disco-style vernacular worship, with its sadly banal words," which now plagues us and, once again, become witnesses for a liturgy which is *ad majorem Dei gloriam.*

Hatboro, Pa. JOHN J. ZOPPI, VICAR
St. John's Lutheran Church

I disagree with Malcolm Muggeridge that Pope Paul VI should reissue *Humanae Vitae* in a greatly simplified form. The Holy Father would do well to scrap it entirely. If he does not, I am certain the next Pope will.

The majority of the present Pope's own Birth Control Commission advised him to permit birth control, just before he published *Humanae Vitae.* After the publication of that tragic encyclical, six hundred prominent Catholics signed a petition of dissent—an act unheard of since the Reformation.

The Church will approve birth control as an alternative to abortion. Country after country has legalized abortion; the latest being Italy, the very seat of papal power. Even those who believe that contraception is evil will admit that it is a lesser evil than abortions. Birth control will therefore be approved for practical *and* moral reasons—especially since the population problem will not go away.

Finally, birth control is much closer to Catholic doctrine than one might suspect. Canon Law 1013 designates marriages for the procreation *and education* of children. It is conceivable that a future Pope will decide that those who cannot educate should not procreate.

South Ozone Park, N.Y. ISRAEL SIEV

Transport Socialism

In your Amtrak item, "The Great Train Robbery" ["The Week," May 26], you concluded: "Let private operators, setting their own rates, and using their own capital, lease the tracks."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Breakthrough!"

Fight with elite troops...wrest control of the skies from the Luftwaffe... outrace enemy U-boats across the North Atlantic...thrill to real action when you choose from this outstanding collection of military books.

4010 $35.00 — 2840 $12.95 — 1347 $17.95

6585 $12.95

3053 $10.95 — 1446 $12.95 — 3079 $14.95 — 3145 $8.95 — 4283 $10.95 — 1701 $12.50 — 2642 $9.95

5629 $25.75 — 3152 $12.95 — 1453 $8.95 — 2170 $12.50 — 4374 $12.50 — 3061 $12.50 — 4812 $12.50 — 3095 $8.95 — 4218 $14.95

Any 4 for only 98¢
with no-time-limit membership

Man the bombsight of a B-24 sent to knock out the oilfields at Ploesti. Zigzag up a burning beach on D day, clearing the way with hand grenades and mortar fire. Keep your eyes peeled for enemy periscopes in the North Atlantic. Fight alongside tank commanders, fighter pilots, gunner's mates and tough dogface soldiers—in Africa, the Pacific, Europe, Korea, and Vietnam.

Now you can thrill to all this and more with the outstanding selection of military books shown and described on this page. They're yours at big savings through the MILITARY BOOK CLUB.

How the Club works.

After your membership's accepted, you'll receive your four books for 98¢, plus shipping and handling. If you are not satisfied, return them within 10 days, cancel your membership, and you owe nothing.

There's no time limit! Take as long as you like to purchase just four books, after which you may resign at any time.

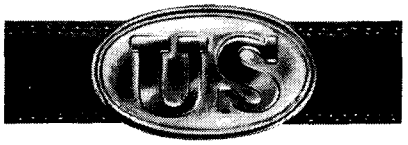
About every four weeks (14 times a year) you'll receive, free, the Club's magazine describing the coming selections and alternates, which will save you up to 30% off publishers' edition prices.

If you want the selection, do nothing, it will be shipped to you automatically. If you want an alternate, or no book at all, indicate your preference on the order form and return it by the date specified. That date allows you 10 days to decide. If you receive an unwanted selection because you had less than 10 days, return it at our expense. There is a shipping and handling charge on all books shipped.

The Military Book Club offers its own complete, hardbound editions sometimes altered in size to fit special presses and save members even more.

Note: Prices shown are publishers' edition prices.

FREE when you join! Replica of U.S. Infantryman's Belt Buckle!



Military Book Club

Dept. SR-330, Garden City, N.Y. 11530

Please accept my application for a no-time-limit membership in the Military Book Club and send me the four books whose numbers I have printed in the boxes below. Bill me only 98¢ plus shipping and handling. I understand that I may take as long as I like to buy only four more books at regular low Club prices to complete my purchase commitment. (NOTE: AIRWAR counts as two selections.)

No-risk guarantee: If not delighted, I may return the four books within 10 days, my membership will be canceled and I will owe nothing.

Note: If you select AIRWAR, write the number in two boxes, then choose two more selections.

Mr.
Mrs. _____
Miss

Address _____ Apt No. _____

City _____

State _____ Zip _____

Members accepted in USA and Canada only. Canadian members will be serviced from Toronto. Offer slightly different in Canada. 14-M111

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The advice is great, but you're about fifty years too late in proffering it. Had this been done with the *highways* in the 1920s, there would be healthy railroads today, and no Amtrak. Instead the government has subsidized the highways—and still does—beyond what motorists, bus lines, and truckers contribute.

Another point: Railroads build their own facilities (they pay outrageous taxes on them besides), but who builds the airports? Not the airlines!

Mark two things well: 1) *No* form of common passenger carriage makes money—not buses, trains, ferry boats, or jet liners. (Private carriage by automobile is subsidized as well.) Common carriers earn a profit only by carrying freight or express. 2) America's transport socialism has come of age. It will now cost our government many billions of dollars to restore and operate the rail services needlessly destroyed by past policies.

H. Howard Noble

Colorado Springs, Colo.

What Should Be Done?

For President Carter to warn Cuba that "if all [other] measures prove insufficient, a total blockade of Cuba cannot be excluded" would be a good idea ["What Can Be Done?" June 23], but a more effective variation would be, not simply to warn Cuba, but actually to impose such a quarantine until her troops are returned home.

In such a scenario, the U.S. Navy would not allow ships carrying jet fuel, aviation gasoline, aircraft, or aircraft parts to enter Cuban ports. Those ships leaving Cuba with any type of weapon or with any Cuban personnel in excess of crew complement would be turned back.

Let us use our expensive big stick to get their attention. At the same time the Navy would be able to demonstrate the "cost effectiveness" of a multi-purpose force to the people and the Congress.

San Diego, Calif. Hugh Brainard

No Offense?

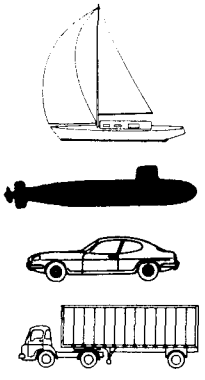
Your editorial "Offensive Christianity" [June 23] omits at least one important fact in its discussion of the B'nai Yeshua/Ruth Carter Stapleton incident. It is true, of course, that "consenting adults" have the right to choose for themselves any religious affiliation. It is likewise true that "the Christian mission" is "conversion"; no one, I think, means seriously to attack the idea of conversion per se. The literature of the so-called "Jews for Jesus" movement, however, explicitly denies that its purpose is to convert Jews to Christianity. The "good news" which it preaches—fraudulently—is that a Jew may accept Jesus *without* becoming a Christian. The prospective convert is instead invited to become a "completed Jew" (a curious locution, to say the least).

However sincere the motives of the Jews for Jesus people, their tactics are questionable at best. Surely we are not obliged to endorse any means at all to accomplish a given purpose, even though it be a charitable one. Seen in this light, Mrs. Stapleton's refusal to speak at Stony Brook becomes less a matter of giving in to "crank" pressure than of withholding what must be perceived as a stamp of approval—given her status as the President's sister and as a major voice of the born-again movement—from a group whose methods not only violate every canon of interpersonal ethics and civility, but also stand in seeming contradiction to the avowed aim of evangelism itself.

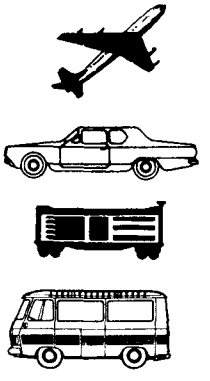
Woodmere, N.Y. J. E. Hechtman

Of course the appearance of Ruth Carter Stapleton at a meeting of Hebrew Christians would be disturbing to Jews. The problem was not that Mrs. Stapleton would be preaching the Gospel. On the contrary, Jewish faith highly appreciates Christianity and its mission to preach the

Attention!
Manufacturers of Air Conditioning and Heating Units



If you are an original equipment manufacturer of Heating or Air Conditioning Units for AUTOMOBILES • TRUCKS • FARM or other OFF-THE-ROAD VEHICLES • AIRCRAFT • MOBILE HOMES or R V's • BOATS • SUBMARINES • RAILROAD PASSENGER CARS—anything that moves, it will pay you to write on your letterhead for our 24 page catalog illustrating Louvers, Bezels, Grilles, Evaporator Cases and other Plastic Accessories. Black, custom colored, vacuum metalized, wood grained or hot stamped to your finishing specifications. And if what you need is not there, let us quote tooling and piece price for realistic delivery schedules. Design, Engineering, Tooling, Molding, Finishing—all under one 70,000 square foot roof.

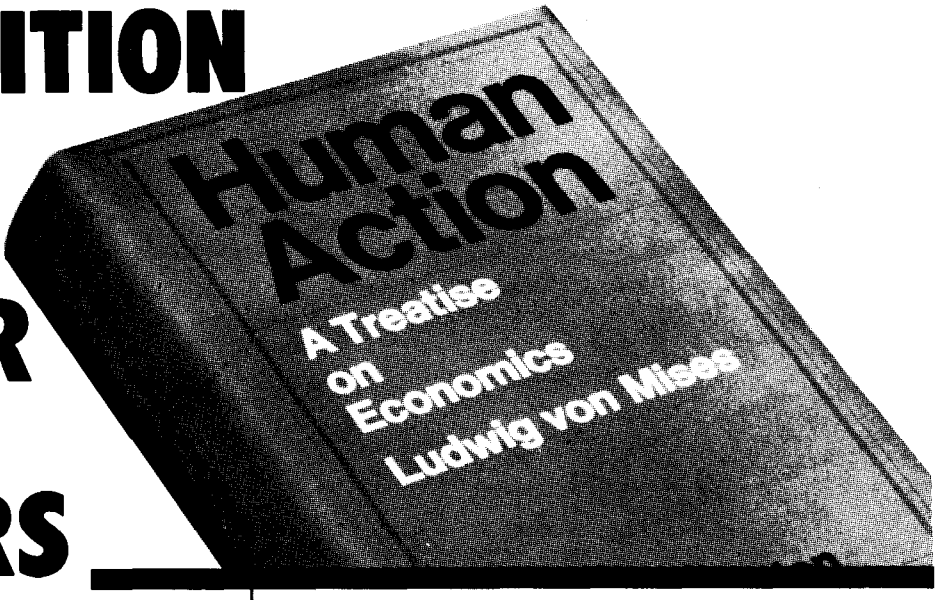


The Cary Products Co. Inc.

P.O. DRAWER AC, HUTCHINS, TEXAS 75141 (214) 225-2317

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THIRD EDITION OF THIS CLASSIC SELLS FOR $20.00. IT'S YOURS FREE



"It rests with men whether they will make the proper use of the rich treasure with which this knowledge [of economics] provides them or whether they will leave it unused. But if they fail to take the best advantage of it and disregard its teachings and warnings, they will not annul economics; they will stamp out society and the human race." — Ludwig von Mises

WITH MEMBERSHIP IN THE CONSERVATIVE BOOK CLUB AND YOUR AGREEMENT TO BUY ONLY 4 BOOKS OVER THE NEXT 18 MONTHS

HUMAN ACTION is fascinating. The author, Ludwig von Mises, dean of free-market economists, is a cool logician, our greatest economic scholar, a passionate lover of freedom — and an equally passionate enemy of those who would take freedom away from us.

The book has nothing but scorn for the phony "compassion" of the Marxians and Keynesians — and Mises clearly shows how their theories actually **spread suffering among the poor!** One by one, he sweeps away the glib fallacies of Liberalism and socialism. For instance, how many of these fallacies can you effectively rebut?

- ★ Free-market economics was all right for the 19th century but it is useless in today's complex economy.
- ★ Capitalism was built on the broken bodies of exploited workers.
- ★ Businessmen have ravaged our natural resources in their lust for profit.
- ★ Unemployment is caused by lack of "effective demand".
- ★ Unions have won rich benefits for their members.
- ★ Advertising is a device for defrauding the consumer and represents a net economic loss.
- ★ Minimum-wage laws help the poor.

Mises answers these questions and hundreds more. He offers us a mountain of fresh insights, always in a crisp style, free from clumping pedantry. Among his major contributions: 1. A remarkable analysis of inflation. How it starts. The evils it brews. 2. Causes of the business cycle. 3. Effects of state intervention in the economy. 4. Irrefutable demonstration that free banking leads to hard money.

Human Action certainly is not a book you will read over a weekend. It is a classic of economic thought — meant to be the companion of a lifetime.

- ✔ massive—924 pages
- ✔ entirely reset
- ✔ revised by the author
- ✔ detailed 20-page index

SAVE $20.00

"An arsenal of fact and logic." — *Chicago Daily News*

"*Human Action* . . . should become the leading text of everyone who believes in freedom, in individualism, and in a free-market economy." — *Henry Hazlitt*

"Dr. von Mises has made a tremendous contribution to economic thinking in a world that thinks only of economics." — *Vermont Royster*

"I think that *Human Action* is unquestionably the most powerful product of the human mind in our time, and I believe it will change human life for the better during the coming centuries as profoundly as Marxism has changed all our lives for the worse in this century." — *Rose Wilder Lane*

". . . offers a combination of great scholarship and the rare ability to make an abstruse economic subject interesting." —*Lawrence Fertig*

"The finest economic treatise of this generation." — *Raymond Moley*

"Perhaps the most important economic treatise of our time." — *Wall Street Journal*

CONSERVATIVE BOOK CLUB

165 Huguenot St., New Rochelle, New York 10801

Please send a FREE copy of the $20.00 Third Edition of Ludwig von Mises' **Human Action** and accept my membership in the Conservative Book Club—the only book club expressly for political conservatives. I agree to buy 4 books from among more than 150 to be offered in the next 18 months, after which I am free to resign at any time. I will be offered books on politics, investing, social issues, religion, conservative ideas, Communism, history, etc. Membership entitles me to a free subscription to the Club Bulletin, which brims with news of interest to conservatives. I am eligible to buy Club books at discounts of 20% to 50% plus shipping. If I want the monthly Selection I do nothing; it will come automatically about one month later. If I don't want the Selection, or I prefer one of the Alternates, I merely inform you on the handy form always provided. I'll be offered a new Selection every 4 weeks—13 per year. If due to late mail delivery I get a Selection without having had 10 days to decide if I want it, I may return it at Club expense.

NAME _____

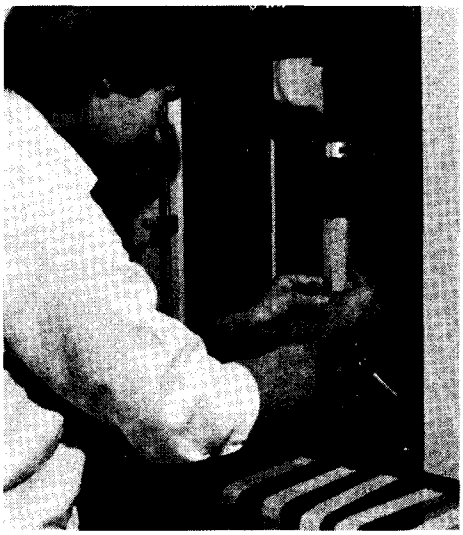
ADDRESS _____

CITY/STATE _____ ZIP _____

NR643

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Freedom to innovate, Brady style



As a member of the American business community since 1914, we at Brady are all too familiar with the negative aspects on the social and economic levels of our society. We try to do what we can to change them.

But we're positive, too. Especially positive about the many freedoms we enjoy as a part of American business. Like *freedom to innovate* in our field—adhesive and graphics chemistry. With each year we proudly bring to market several unique new products designed in some way to help make information clearer, work safer, products more attractive, or jobs more productive.

Problem-solving pipe markers in a wide choice of legends and materials are just one of many innovative Brady products for industry. Our informative new corporate brochure will tell you more about Brady and its products. Perhaps you'll see a place to put Brady to work in your company. Write for a copy today.

WBC-7

BRADY

™ ADHESIVE AND GRAPHICS CHEMISTRY

W. H. BRADY CO.
727 W. Glendale Avenue
P. O. Box 571, Milwaukee, WI 53201

word of God, in the words of Maimonides, "even to the far islands." What was disturbing to Jews was that she was going to preach the Gospel to Jews who had become Christians. This clearly implies that in her view the ancestral faith of Judaism is inadequate and flawed.

In addition to these theological considerations, Jews who convert to Christianity are for all intents and purposes lost to the Jewish community. Since the presence of Jews in the world is necessary for the continuance of Judaism, and since our numbers have been so severely diminished in recent decades, promoting conversion among Jews strikes a blow at what the Jewish community holds most precious.

To the credit of Mrs. Stapleton, when these considerations were pointed out to her, she withdrew from the appearance. Her religious freedom was not thereby being abridged, nor was Christianity being "subordinated to Judaism." She was instead showing a Christian consideration and understanding.

I do not pretend to interpret Christian theology. I have, however, been instructed over the decades by such great Christian thinkers as Reinhold Niebuhr, Paul Tillich, and Gustave Weigel. They thought it valid to interpret the Christian task as bearing witness to those who are not yet with the Father—that is, pagans of all sorts. The Jews, being the descendants of those who inherited the "original promises" already are with the Father when they are loyal to their Covenant. This vision does not subordinate one tradition to the other. Rather it is a profound call to a partnership in bringing about the realization of the Kingdom of God among men.

New York, N.Y. SEYMOUR SIEGEL
Professor of Theology
Jewish Theological Seminary

Defense/Offense

May a British visitor to your shores express regret at your comment "Score one for the vigilant defenders of the Soviet Union . . ." [May 12]? Whatever a man's view of the efficiency of the Soviet Air Force, he should surely feel delight, not scorn, that permission to scramble—let alone to fire—must come from Moscow.

As to NATO's confirmation that the South Korean captain tried to communicate with the Soviet jet, there is also evidence from passengers that some time before the fatal shooting tracer fire was seen running parallel to the port side of the aircraft—fire which you and I, sir, would undoubtedly have recognized for what it was. If we are clearly entitled to ask why the shots were fired, we are surely equally entitled to wonder why the pilot did not see (or identify) the tracer fire, as he apparently did not.

New York, N.Y. TIMOTHY DUFORT

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Is America's future over a barrel?

At one time the United States imported so little foreign crude oil that it presented no problem at all. But today we are importing more than 45% of our domestic crude oil needs. And by 1985 we could be importing more than half. If our oil supplies are ever cut off again, it could have disastrous effects on your driving, your heating, even your job.

The big question is, how can we avoid increasing our dependence on imports of foreign oil?

At Texaco we believe that we can all do more to conserve the gasoline and fuel we now use. And our energy supplies from alternate sources must be developed more quickly. Also, our country's exploration and production must be stepped up wherever prospects are promising. That's why we're doing so much to develop domestic oil supplies.

None of us want to see America caught over a barrel.

TEXACO

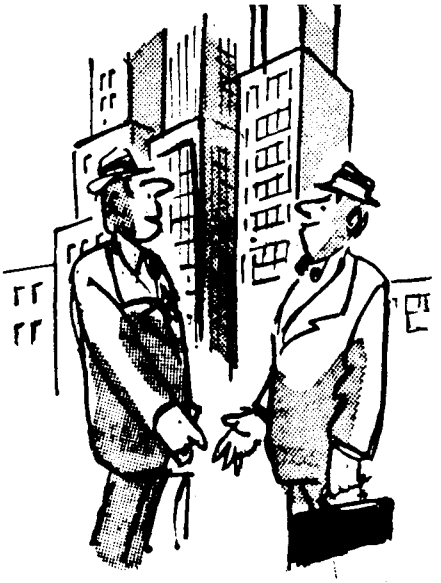
We're working to keep your trust.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FOR THE RECORD

■ Let's do it, let's get **Brzezinski**, is the latest in-thing on the Left—from the Communist *Daily World* to *The Nation*, they're calling for his dismissal. **Carter** should fire Brzezinski, says *The Nation*, as "the best and perhaps the only way . . . to put an end to the babbling incoherence" of his foreign policy. . . . The *World*, in a front-page editorial, charges that Brzezinski is a man whose "adult, professional life has been spent as a cold war champion, an enemy of improved U.S.-Soviet relations, a believer in H-bomb power." . . . People in the know in Washington think these attacks, coupled with other, more moderate ones by the ADA and Sens. **George McGovern** and **Dick Clark**, may be having their effect on the President. . . . Carter is also in hot water on other foreign policy issues. Sen. **Lloyd Bentsen** (D., Tex.) sees no chance for passage of SALT II this year, what with the Cubans in Africa and the current beefing up of Warsaw Pact defenses. "There's a nagging feeling," he says, "—and substantial evidence to support that feeling—that our 'partner in detente' has taken us for a ride." . . . And the Senate has indicated what it thinks about various White House maneuvers to get cozier with **Castro** by adopting, by 53 to 29, a resolution calling on the President to dismantle the current economic and diplomatic ties with Cuba until Cuba's Africa Korps is brought home.

■ Castro is not about to do that. Intelligence sources in Beirut say that **Yasir Arafat**, of the Palestine Liberation Organization, is due in Havana in the next two or three weeks to work out an agreement for Cuban support of PLO forces. Palestinian leaders want a commitment from Castro to send troops to **Lebanon** should large-scale fighting break out in that country again, or should Israel try to move back in. . . . **Shamed Hussein Haile**, a spokesman for the Somalian guerrillas recently thrown out of the Ogaden region by Cuban- and Soviet-supported Ethiopian troops, claims that his forces have executed a sizable number of Cuban soldiers captured in February and March. (There's been no confirmation of that report.)



Holland, *London Sunday Telegraph* Rothco

"Why, Harry! You look like a million yen!"

■ On the electoral scene: The Boston-based *Christian Science Monitor* reports that thousands of anti-busing Democrats in South Boston are re-registering as Republicans in order to vote for conservative talk show host **Avi Nelson** in the GOP senatorial primary. . . . **Kevin Phillips** now believes it is "a more and more likely possibility" that Nelson may defeat Sen. **Edward Brooke**, in view of Brooke's personal and financial problems and of the upset defeat of **Clifford Case** in New Jersey. But Phillips thinks Nelson would lose in November to a strong Democratic opponent. . . . In Maryland, where the last Democratic governor, **Marvin Mandel**, is now serving a jail term for political corruption, former Republican Sen. **Glenn Beall Jr.** has jumped into the gubernatorial race just ahead of the early July filing deadline, as has another prominent Maryland Republican, **Louise Gore**. Beall beat Mrs. Gore to the punch in signing up **Aris Allen**, the black chairman of the state Republican Central Committee, as his running-mate. Beall had a conservative voting record in his first term (1970-1976) in the Senate. . . . **Bob Bauman**, the very conservative (and very effective) Maryland congressman, is flabbergasted at the suggestion that his opponent, **Joseph D. Quinn**, can get to the right of him in their primary battle. "Is that possible?" he asked. . . . And more fun and games in Maine, where the two-way senatorial race between liberal incumbent Democrat **William Hathaway** and liberal Republican contender Rep. **William Cohen** has been complicated by the entry of a conservative independent, **Hayes Gahagan**, with the support of Republican national committeeman **Cy Joly**, who has resigned that post to work for Gahagan because "I'm a Republican and Billy Cohen isn't." . . . Good news: way-left Rep. **Michael Harrington** (D., Mass.) is calling it quits. He feels today's liberalism is nothing but re-tread New Dealism.

■ **Richard Nathan** of the Brookings Institution is not disappointed. He knew if he waited long enough "one of the pundits would find the real cause for Proposition 13: **Nixon** did it." Chalk that analysis up to columnist **Joseph Kraft**, who says Prop-13 is an outcropping of Nixon's revenue-sharing program.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Union Wouldn't Listen.

They're young and attractive—just the kind of people you'd expect to find working for an airline in sunny, Southern California.

Allan Fails, every bit a contemporary Californian, suntanned, casually dressed, a small string of puka shells around his neck.

Audrey Ryan, young, stylishly attractive, with a contagious smile.

Howard Ellis, the kind of clean-cut guy you bump into every day of your life, in airports, elevators, department stores.

Ordinary in some ways, but also very special people. Special because Ellis, Fails, Ryan and a handful of courageous co-workers at Western Airlines have rebelled against a system that allows officials of a union—one they are forced to support—to spend their compulsory union dues for political and lobbying activities they oppose.

All the workers set out to do was to get the union to stop and return their money which was supposedly their right under the union's constitution.

But, union officials ignored their pleas. The next step, the only one available to them, was the courts.

So, the workers filed suit in 1973, protesting the use of their compulsory "agency shop" fees for purposes not connected with legitimate collective bargaining. They argued that the expenditures deprived them of their rights under the National Railway Labor Act and the First, Fifth, and Ninth Amendments.

It took three years for a ruling. But in 1976 a federal district court judge found the union had violated the law.

The court also ruled that the Brotherhood of Railway, Airline and Steamship Clerks, AFL-CIO, had violated its legal obligation to fairly represent the workers by ignoring their repeated protests against the misuse of their money, and by refusing to return the money unlawfully being taken from the workers.

The union, of course, has appealed, and says it intends to carry its fight all the way to the Supreme Court if necessary.

Ellis, Fails and their co-defendants would like to get the matter over with. But they are ready to go all the way—because they know they're right, and because they know they can count on the full backing of the National Right to Work Legal Defense Foundation, which has been at their side from the beginning.

The National Right to Work Legal Defense Foundation is helping everyone it can. It is currently assisting individual workers in more than 75 cases involving academic and political freedom, freedom from union violence, and the right to work for government without paying a private organization for that privilege.

For more information on how you can help American workers like Allan Fails, Audrey Ryan and Howard Ellis, write:

The National Right to Work Legal Defense Foundation
Suite 600
8316 Arlington Boulevard
Fairfax, Virginia 22038

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK

■ The augurers are more inscrutable than the Oracle. All we now know for *sure* is: it's illegal to discriminate against Allan Bakke.

■ Senate Majority Leader Robert Byrd claims that the Congress recognized the angry mood of the taxpayers way back in May and "acted on it." He was not referring to the memorable 48 hours last month when senators from coast to coast turned the $1.2-billion Navigation Development Act into a $2.6-billion porker.

■ George Meany cussed, Walter Mondale fussed, and Robert Byrd fumed, but after an unprecedented sixth cloture attempt, it was clear that Big Labor did not have the votes to break the Senate filibuster against the labor law reform bill. In fact it was clear after the (unprecedented) fifth attempt, when, at an apogee of 58 votes, labor was still two short of the necessary sixty. So the bill, which would put management at a disadvantage in unionization elections, was returned to committee, where it will probably die a lingering death.

■ In its end-of-session Grand Promenade, the Supreme Court struck down an Ohio capital punishment statute on the grounds that its definition of mitigating factors was too narrow. "We conclude," wrote Chief Justice Burger, "that the Eighth and Fourteenth Amendments require that the sentencer . . . not be precluded from considering, as a mitigating factor, *any* aspect of a defendant's character or record and *any* of the circumstances of the offense" (emphasis added). Presumably Raskolnikov could get 25 years in jail—a student, kind to drunkards and consumptives, almost certainly a one-time offender. The majority decision was a prime example of judicial legislation, which will no doubt entail more. Justice Rehnquist said it perfectly—the "new constitutional doctrine . . . will not eliminate arbitrariness or freakishness in the imposition of sentences, but will codify and institutionalize it."

■ To judge from the Administration's reaction, you would think Congress had proposed to auction off Amy. All it has in fact done is attach veto provisions to some recent appropriations bills. If zealous bureaucrats step beyond their legislative mandate (if the sun rises . . .), Congress may overrule their action within sixty days. About one hundred such provisions have been written since 1932, a date that is not insignificant—Congress is trying to regain some of the power that has been hoarded by a swollen Executive for most of this century. It would have been easier, of course, for Congress not to have ceded it in the first place—a remedy which Congress may be forced to fall back upon, since Carter insists that the legislative veto is unconstitutional. Vetoes will receive "serious consideration," he told Congress, "but we will not, under our reading of the Constitution, consider [them] legally binding."

■ The on-again off-again nuclear power plant under construction in Seabrook, New Hampshire is off again. The Nuclear Regulatory Commission, by a vote of 2 to 1, has ordered construction to be halted so as to protect its "freedom to decide on alternatives to the Seabrook site." The decision comes when the plant, under construction since 1976, is nearly 15 per cent complete. The Public Service Company of New Hampshire, the plant's prime sponsor, has already spent $400 million on construction, not including the small fortune spent testifying before various government bodies since 1972, the year the company first applied for permission to build a plant. Though Seabrook is perhaps the supreme example of the government's inability to come to terms with nuclear energy, it is by no means the only one—and public utilities are getting the message. In the past three years, there have been 23 nuclear plant cancellations. Thus, the 2 to 1 vote may be, as one of the opponents of nuclear energy joyfully exclaimed, "the beginning of the end of nuclear power in this country."

■ Spencer W. Kimball, President of the Church of Jesus Christ of Latter-Day Saints, has received a revelation from God confirming that "the long promised day has come when every faithful, worthy man in the church may receive the holy priesthood with power to exercise its Divine authority and enjoy with his loved ones every blessing that flows therefrom, including the blessings of the Temple." In other words, Negroes are now eligible for the Mormon priesthood. Owing to the absence of any thoroughgoing body of Mormon theology, the question was of necessity resolved by a thunderbolt from the

A Tutorial

In this, the time of sun and itch,
I'd like to file a minor bitch
With friend and foe who fail to tell
A proper verse from doggerel.
While almost everyone can rhyme,
The trick is keeping perfect time,
Since nothing makes a purist bleat
Like reading verse with extra feet.
With rhyme and meter on the beam
Supporting some compelling theme,
A brickbat or a valentine
Should zing 'em in the final line.

W. H. von Dreele

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

HOW WEIGHT AFFECTS GAS MILEAGE

THE SAVINGS CAN BE DOUBLED IF WEIGHT IS REMOVED IN THE DESIGN STAGE.

A designer can reduce the exterior dimensions of a car by a few inches and turn it into a major improvement in gas mileage. That's because smaller is usually lighter, and a lighter car doesn't need as much gasoline to go a given distance as a heavier one.

It's really a process of multiplication, and it works like this: once the exterior dimensions are trimmed, the bumpers won't have to be quite as big, the frame won't have to be quite as long, and so on. This saves weight, and the savings begin to multiply. Wheels, axles, as well as other components, can often be smaller.

We used the multiplier effect when we designed our current 1978 midsize cars. To illustrate how this works: if you were to take 100 pounds of golf clubs out of your trunk, you might, depending on the car, save about five gallons of gas in 10,000 miles. But if you take the same 100 pounds out of a car in the design stage, you won't need as large an engine, transmission, and other components to get good performance. So you can make components smaller and more than double the gas savings. That's what we try to do.

In redesigning our cars to take advantage of this effect, we made extended use of lighter, highly durable materials such as aluminum and plastic, adding up to an average weight-saving of 685 pounds. As a rule of thumb, this could save on the average about 75 gallons of gas in an ordinary year of driving (10,000 miles).

But weight isn't the only thing that affects mileage. Tire inflation pressures are important, so are lubricants. And an engine has to be properly maintained: one defective spark plug can knock down mileage by as much as ten percent. And remember, keep a light foot on the gas pedal; the way you drive may still be the most important thing of all.

So far, in our new resized cars, we've been able to reduce weight while still meeting all the safety standards. In these new cars more corrosion-resistant materials are used. Routine maintenance schedules have been stretched out, and the need for certain kinds of maintenance has been eliminated entirely. We've done this, in our opinion, with no sacrifice in passenger comfort or useable space in the trunk.

Most important is the simple fact that saving weight saves gasoline.

Our goal is to build cars that are more and more efficient, to design them to meet our customers' needs, and to sell them at prices the average American can afford. That's the only way we can succeed in our competitive business.

This advertisement is part of our continuing effort to give customers useful information about their cars and trucks and the company that builds them.

General Motors

People building transportation to serve people

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LETTER FROM WASHINGTON

Americans whose July 4 travels were made nightmarish by the air traffic controllers' slowdown now stand to be further victimized by those who once served them when half a million postal workers walk off the job on July 20. Postal union officials here now say that a strike is nearly unavoidable. They are asking for a 12 per cent pay hike over the next two years, which, along with a cost of living escalator clause, would bring the average postal worker's annual salary to approximately $20,000. But President Carter is adamantly insisting that they observe his 5.5 per cent limit on wage increases, and no one in the Administration expects him to compromise. It is this unwillingness to bend, plus the unions' contention that under the Postal Reorganization Act of 1970 the President has no right to intervene in talks, that has strengthened the resolve of union leaders to walk out. The situation seems set in concrete. The unions are adamant and so is Carter, whose advisors see this as the first major test of his campaign to hold down wage increases.

If the strike does take place, it could be a long one. The postal workers have the backing of George Meany, who vehemently opposes Carter's 5.5 per cent limit and who can be expected to contribute AFL-CIO funds to the strikers' war chest. Also, union leaders believe that if the strike were to extend into the 1978 congressional campaign season, the pressure would be intense on Carter from members of his own party to end it quickly, on the best terms available, and damn any arbitrary percentage. Few believe he will do so, however. A strike might well put Carter somewhere between a rock and a hard place. But there is an alternative that is increasingly discussed here. The cost of living shows no sign of leveling off, and the inflationary spiral continues. Combine this with the growing national sense of outrage over victimization by public and semi-public servants, and many Washington observers believe that Carter would have overwhelming support for the imposition of wage and price controls. The feeling is that if the postal workers walk out, their exit may shortly be followed by the entry of mandatory controls.

■ Add natural-gas pricing legislation to the growing list of things that won't get done during this session of Congress. The conferees have finally worked out compromise principles. But those principles are sufficiently complex to puzzle a Talmudic scholar, and they manage to offend both liberals and oil-state legislators. There are now five price ceilings; if the principles were translated into law, there would be 17 categories of natural gas, along with at least 12 new price ceilings, most of which would do little to alleviate the current problem of unrealistically low prices for "old" gas. Oil-state legislators are angry over the proposal to bring intrastate gas under federal controls for the first time; liberal legislators are angry about the plans for eventual decontrol—plans that conservatives believe will never materialize. Even under the best of circumstances, the compromise would be hard pressed by this year's time limitations to make it through the House and Senate. But should legislation incorporating the compromise principles get to the floor, senators as diverse as Tower and Abourezk are expected to filibuster and may prevent final action this year.

■ Among the ruck of 1980 presidential possibilities, perhaps no dark horse poses more of a threat to conservative Republicans than Governor James Thompson of Illinois. Thompson is an admitted liberal. Yet his appeal, like that of conservative Ronald Reagan in California, cuts across political and ideological lines in his own state. Until recently, Thompson seemed to be losing ground to his Democratic challenger, State Controller Michael Bakalis, coming up on the wrong side of several issues, among them a proposed tax cut. But now Bakalis has revealed that he is under investigation by the IRS for questionable personal uses of campaign funds in 1976, and Thompson is pulling away, apparently heading for a landslide in November. If so, conservatives here see him as a formidable national figure.

—CATO

Lord. It is suspected, however, that the current followed a triangular route, proceeding from HEW to God, and thence to President Kimball.

■ In honor of the new 15¢ first-class letter rate, Young Americans for Freedom celebrated June 10 as "Postal Competition Day." YAF National Chairman John S. Buckley pointed out that the new rate represents a 150 per cent increase in the last six years: "If a private company had raised its prices to such an extent, congressmen would be falling over each other to demand antitrust action." The day was marked by demonstrations in front of post offices and distribution of literature calling for legislation to bust the monopoly.

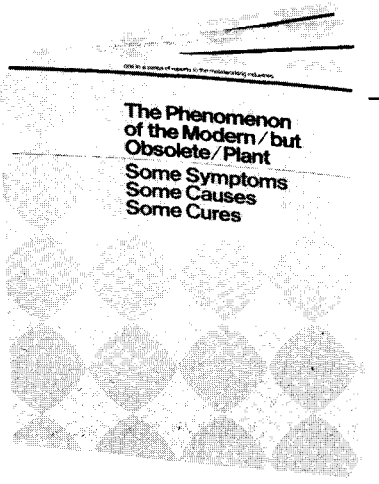
■ The Soviet decision to try two American reporters, Craig Whitney of the *New York Times* and Harold Piper of the *Baltimore Sun*, for slander is aimed at the United States, at the reporters in question, at all foreign news bureaus in Moscow, and at those few courageous dissidents who still dare to talk to the international press. But the operation is not going exactly as planned. Both newsmen have refused to take part in the judicial charade. They will not attend their own trial, or supply Soviet prosecutors with the names of their Russian sources and informants. If a fine is imposed, the papers will pay it. But the other requirement of Soviet law in slander cases—that a retraction be printed—will be difficult for the Russians to enforce. The *Times* and the *Sun* apparently are prepared to bring their men home, and even possibly to close down their bureaus, rather than submit to Soviet intimidation. The *Times* and the *Sun* have several options which NBC—with $90 million on the line—will not have during the 1980 Olympics.

■ A little over two years before those Moscow Olympics, meanwhile, NBC has sold enough commercial time to recoup the money it poured into the Kremlin kitty for the privilege of broadcasting Mr. Brezhnev's games. At the rate the cash is coming in, NBC is sure to bring home more gold than any country in the competition, excepting the Soviet Union. But there is one cloud on the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Metalworking Manufacturers:

If you're contemplating expansion, modernization, or any significant change in your manufacturing operation, you should know about "The Phenomenon of the Modern, but Obsolete, Plant."



Too many modern-appearing metalworking plants today are cost-ineffective and are cutting deeply into potential profits. Unfortunately, many manufacturers are not aware that a problem even exists.

The reason is that the path to obsolescence is insidious. It is quiet and uneventful. Changes in product design, mix and volumes that occur slowly over decades do not have an immediate impact on men and machines, with the result that obsolete manufacturing concepts are passed along from old plant to new, from generation to generation.

This phenomenon can be called "creeping obsolescence." It exists in many forms, most of which are unrecognized. For example, even a plant filled with the newest machines and equipment can be obsolete, with the new machines acting only as a facade to mask outdated concepts and methods.

We have dealt closely with this phenomenon in the course of updating some 300 metalworking facilities for more than 100 manufacturers in the U.S. and Western Europe. Consequently, we have been able to identify many of both the symptoms and the causes. And we have come up with a number of cures, some rather surprising. All of which are discussed in a 12-page booklet that is yours for the asking. Please write for your copy today. There is no obligation.

Ingersoll Engineers Inc.
707 Fulton Avenue
Rockford, Illinois 61101

Please send me a free copy of your commentary on "The Phenomenon of the Modern, but Obsolete, Plant."

Name _____

Title _____

Company/Organization

_____

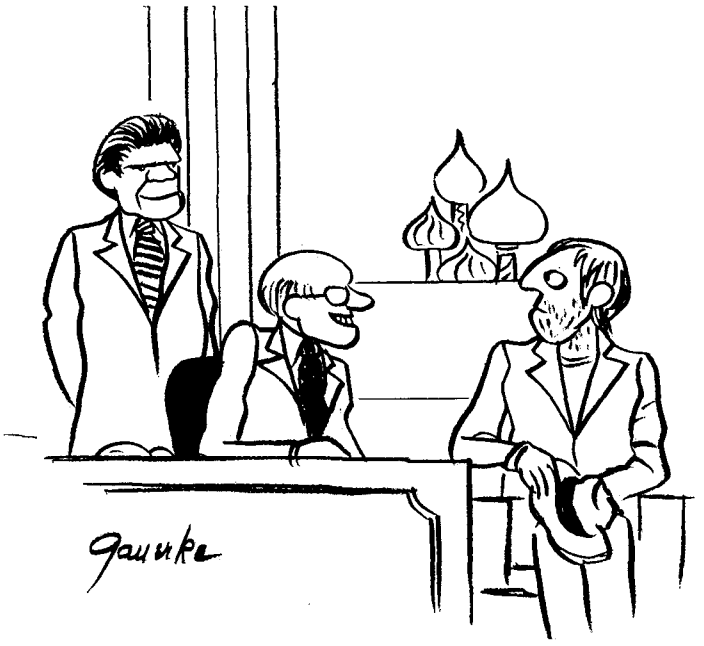
Address _____

State _____ ZIP _____

INGERSOLL ENGINEERS

Manufacturing Consultants/Engineers for the Metalworking Industries

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



"As an ex-CIA officer, cashiered and disgraced by your own government, you'll find our offer hard to refuse."

horizon. The Soviet crackdown on its dissidents is having repercussions in Western Europe where, *U.S. News* says, sentiment is growing to boycott the games. Since the Soviets are giving every indication of stepping up the war on their dissidents—they have just sent two Jews into exile for the crime of hanging a banner from their Moscow apartment with the message: "Let Us Out to Our Son in Israel"—chances are very good that the cloud over Western Europe could soon be directly above NBC headquarters in New York.

■ DOMINOES FALL BOTH WAYS: Now note this. Iraq, a long-time strident ally and client of the USSR and rival of all her Moslem neighbors, is executing some pro-Soviet Communists, opposing Communist penetration of Kurdistan, and even exploring with the hated Saudis and Iranians a possible Persian Gulf security arrangement. Why? In response to Soviet-Cuban expansion in the African Horn and pressure on an Arab nationalist movement in Eritrea, not to mention an outflanking threat to oil-rich Arab states east of the Red Sea. Don't count the chickens yet, but it does illustrate an encouraging—and validating—feature of the "domino process," i.e., like the laws of physics, it operates in two directions. Just as an object or force set in motion continues until stopped, so does an action (here, Soviet-Cuban ploys in Africa) tend to generate its own counter-reaction.

■ A headline in the *New York Times* sums it up: "Rhodesian Killings Anger British Rightists." They didn't anger the *Times* editorial writers, who warned gently that the guerrillas may weaken their "moral claim to power" and prevent any "Western assistance to a future Zimbabwe that [they] might lead" if they keep on cutting missionaries' children's throats. Four black members of Bishop Abel Muzorewa's United African National Council went into a war zone to try to persuade the guerrillas to lay down their arms: they vanished, apparently killed. The Nkomo–Mugabe forces are holding out for totalitarian power, their moral claim to which is supported in the West by just about everyone but a few rightists.

■ Philanthropy is dying in Europe, reports Jonathan Kandell in the *New York Times*, the reason being that it offends the welfarist ethos. When the late king of Sweden offered a huge donation, from his private coffers, to the handicapped, he was rebuffed (as Kandell puts it) "for even attempting as a private individual to fulfill what was considered in modern-day Sweden a function of the government." A French manufacturer and legislator built his constituents an indoor swimming pool, only to have the mayor of the town inaugurate the pool with these graceful words: "To give ourselves over to patronage, consigning our fates [he must have expected some drownings] to the powerful and the rich, seems to us contrary to the spirit of the republic and of democracy. We should have preferred action by the nation, the fruits of efforts by the whole community, eliminating charitable practices that degrade those who benefit from them." We say it's the Finlandization of civility, and the hell with it.

■ Mr. Carter hopes the tax rebellion will help him in what he smilingly terms his fight against inflation, meaning his record half-trillion-dollar budget, $60-billion planned deficit going on $100 billion, record world trade deficit, federal pay raises, and the 15¢ stamp.

■ The National Association of Cities has abruptly scrapped its planned program on the traditional theme for all such meetings of all such groups, namely, how to get more slops, and will instead discuss Proposition 13 when it meets next month. The tax rebellion is really rolling: even city hall is scared.

■ It's the rerun season on TV, but you won't lack for amusement if you listen to the politicians, the taxocrats themselves, doing pontificatory pretzels and verbal Im-

Capital Gains

I own some stock—on which I sit
Because, if I unloaded it,
I'd pay a whopping penalty
On profits from my equity.
So, what the Feds insist is theirs,
My lawyer's willing to my heirs,
Thus saving Jimmy from the scare
Of yet another millionaire.

W. H. VON DREELE

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Here is our Credit Card
(use now-pay later)

1. You can use it to subscribe to NR now at this special introductory rate.

2. You might want to give an introductory gift subscription to some deserving friend at this low rate.

NATIONAL REVIEW SAVINGS COUPON

SUBSCRIBE NOW at one of these money saving rates*

Name _____

Address _____

City _____ State _____ Zip _____

IF A GIFT, PLEASE ADD THE FOLLOWING:

Donor's Name _____

Address _____

City _____ State _____ Zip _____

☐ *PAYMENT ENCLOSED* ☐ *BILL ME LATER*

10 ISSUES $7.50
New Subscriptions only

20 ISSUES $13.95
☐ New
☐ Renewal

30 ISSUES $19.95
(60 weeks)
☐ New
☐ Renewal

Single copy price: $1.00

*** OR USE THIS CARD TO GIVE A GIFT TO A FRIEND**

3. Enter or renew your subscription for 20 big issues (gifts are fine too).

4. You may prefer to take advantage of the long-term money-saving rate here — it's good for both new and gift subscriptions.

5. NR makes a great gift idea — especially to students and young people.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

melmanns trying to claim credit for Proposition 13 and the tax rebellion. Best show in town.

■ The latest in Polish jokes from the Polish (Warsaw) press: 1) "What's fifty yards long and eats potatoes?" Answer: "Poles lining up to buy meat." 2) A Polish shopper, standing in a line to buy meat for three hours, gets disgusted and leaves, shouting, "I'm going to murder the Prime Minister." Hours later he returns, dejected. "No luck. There was a line there, too."

Bakke: Enduring Question

The ideal of a color-blind society has always posed difficulties. As long as there was the suspicion of color prejudice, the strain of ambiguity could be unbearable. The only way to prove color-blindness is to perform a color-conscious act: as by hiring a black. Thus Lyndon Johnson, who ushered in the Civil Rights Act of 1964, could denounce reverse discrimination—and then, with great fanfare, appoint the first black Supreme Court Justice. Thurgood Marshall, for all his objective qualifications as a lawyer, was indeed an early beneficiary of affirmative action.

The affirmative action principle need not scandalize: ethnic politics is nothing new, and Marshall's appointment, if not based solely on merit, is in the old American tradition of balancing the ticket. There have been Catholic and Jewish "seats" on the Court; the novelty of Marshall's appointment in 1967 was merely that blacks had "arrived" as a constituency.

Color-blindness was thus a fiction, partly noble, partly hypocritical. Race has always and everywhere been a matter of explosive potential. The 1964 Civil Rights Act tried to defuse the issue by banning public reference to it as a criterion of official and commercial relations among citizens. The Act had, really, two aims. One was the improvement of the Negro's lot. The other and broader one was the institutionalization of the meritocratic principle. These were assumed, by most of us, to be perfectly compatible. Once discriminatory "barriers" were removed, the Negro would naturally "take his place" in the American system.

Whether this would have happened is not established (though we think it is broadly true; obvious, even). What did happen, all too soon, was that the American liberal decided that the meritocratic principle was "loaded" in favor of whites. Pending a public consensus on the empirical answers, or even on the criteria of answers, the question must remain metaphysical and ideological. And in the absence of such a consensus, the question can only be answered by power. Hence the bitter affirmative action struggle.

The answers given by the Court in *Bakke* are fairly lucid, taken separately; taken together, however, they are Delphic. The Stevens faction (of four) says simply that the Civil Rights Act bans discrimination, period: benign discrimination is no more permitted by the pro-Negro purposes of the Act than mercy-killing is permitted by laws against murder. Even here, though, there lurks a problem: the Act itself deals with motives rather than deeds. You may refuse to hire a black, so long as the reason for the refusal isn't his blackness. Is the ban, then, on formal, explicit discrimination, or on subjective, hidden, even unconscious bias? Is the implication that every applicant must be regarded solely as an individual, rather than a group member? And does this implication have the force of law? The Stevens group construes the Act as banning *future* acts of discrimination, even, apparently, if this means accepting the remaining (and still to come) impact of *past* discrimination. It sustains the color-blind paradigm.

The Brennan faction (also of four) flatly rejects the paradigm except as a desideratum. It appeals to the purposes, as it understands them, of the Act and the Constitution, and virtually sweeps aside the letter and the common understanding of the Act (though without directly challenging either) for the sake of promoting racial justice. The Brennan group barely conceals its indignation with the majority, and takes the rare step of announcing the "central meaning" of the very decision it dissents from: that "Government may take race into account when it acts not to demean or insult any racial group, but to remedy disadvantages cast on minorities by past racial prejudice." This is a breathtaking piece of exegesis: the Court as a whole has often made bold statements of the real meaning of the Constitution (see Lino A. Graglia's "Judicial Imperialism," on page 892 of this issue), but seldom has a dissenting minority taken it upon itself to expound the real meaning of the majority it has dissented from.

Smack in the middle is Justice Powell, who finds all discrimination unconstitutional, but finds that the goal of ethnic diversity in a student body is implicit in the First Amendment as an aspect of academic freedom. He upholds the individualist principle, but maintains that for

Jimmy at the Tiller

Scrunched up beside the centerboard,
I must admit we're never bored
As, tacking now to port, we switch
To keep the boat at proper pitch;
Then, as he comes about once more,
We rush to where we were before.
We really sweat, maintaining trim,
But I can do that at a gym.

W. H. VON DREELE

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

certain purposes race may be regarded as a component of the individual.

The legal accretions have now reached a point of perhaps irresolvable confusion. The *Bakke* rulings create no clear precedent, and leave the status of the Civil Rights Act unclear. A few days after *Bakke* the Court let stand, by refusing to review, a government affirmative action program that requires AT&T to hire more blacks and women. All that is undisputed is that overt quotas are out, just as overt discrimination is out. And that there will be loads of litigation.

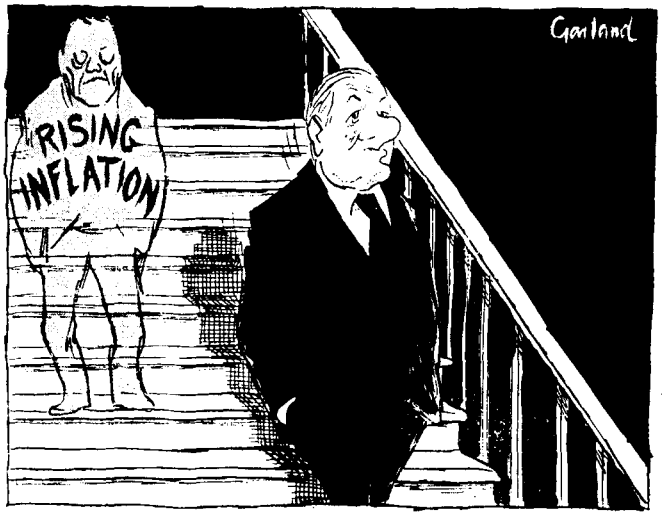
Most of the suits will be brought by white males, so the net effect of *Bakke* may be, if not to elucidate the law, at least to place the law's weight on the shoulders of aggressive governmental equalizers. It is one thing to approve a generalized affirmative action program in which race is "one of many factors"; another to tell the person who is palpably excluded because of his race that he is not a victim of discrimination. Private institutions that implement their own racial-balance programs will face few problems, so long as they avoid quotas. Private businesses convicted of discrimination will be forced to submit to government programs. But businesses and universities not so convicted may now have a powerful legal base from which to resist the doctrinaire leveling of Eleanor Holmes Norton and her associates, who contend that there is a positive duty to integrate color-consciously, even when no discrimination is proved. In short, the era of presumptive racial guilt may have come to an end: it may be necessary to convict before sentencing.

Thoughts on Solzhenitsyn

In its July 7 issue, *NR* published the full translated text of Aleksandr Solzhenitsyn's Harvard commencement address. Solzhenitsyn is a towering presence on the landscape of twentieth century literature and politics, and this address is likely to be read, pondered, and discussed a century hence. Those who heard it there, and those who discuss it in its own historical moment, are specially privileged.

In many of his central contentions, Solzhenitsyn is self-evidently correct, a courageous man, and a prophet willing to split the twentieth century like an old tin can, reopening the enduring questions of political and religious thought.

At the same time, Solzhenitsyn surrounds his profound truths with sometimes strident claims and assertions that distract attentive listeners from his deepest insights. The English translation of his address is seriously flawed. In due course, *NR* will endeavor to provide a more accurate and nuanced version. Nevertheless, reading what we do have now, some doubts arise on the margins of his central message.



Garland, *London Daily Telegraph* Rothco

"As I was going down the stair,/ I met a man who wasn't there./ He wasn't there again today./ I wish, I wish he'd go away."

Solzhenitsyn's main contentions can scarcely be gainsaid.

In the Vietnam War, "the American intelligentsia lost its nerve." The "members of the U.S. antiwar movement wound up being involved in the betrayal of Far Eastern nations, in a genocide, and in the suffering today imposed on thirty million people there." Can there be any argument at all with those statements?

Also, Solzhenitsyn is willing to say the unsayable, i.e., that Hitler was not the most dangerous of all political evils, that a worse one existed: "Western democracy cultivated another enemy who would prove worse and more powerful yet: Hitler never had so many resources and so many people, nor did he offer any attractive ideas, or have such a large number of supporters in the West." True. But with the caveat that Hitler seems to have won the war of ideas in the Third World, where most regimes are surely "national socialist."

Solzhenitsyn is profoundly right in his assertion that national and civilizational survival is a matter of will: "No weapons, no matter how powerful, can help the West until it overcomes its loss of will power." And such will power, many would agree with Solzhenitsyn, has theological roots, and is connected with faith and hope.

Nevertheless, surrounding these core assertions are others, arguable, dubious, or self-evidently false, which detract from the power of the central Solzhenitsyn witness.

1. Is it true, and this is a deep question, that "truth seldom is pleasant; it is almost invariably bitter"? Quite possibly. But Dante refers repeatedly to "the sweet world," and Dante was no child of illusion.

2. Is it true that Western material abundance interferes with "free spiritual development"? By all available indices, the Western world is in the midst of a religious revival, both within and outside of orthodox channels. If

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

abundance is in fact the enemy of the spirit—well, in comparison with what alternative circumstances, either in space or in time?

3. Is it really true that the Russian people have been purged by suffering, and are less materialistic and spiritually stronger than their Western counterparts? To the external gaze, at least, the average Russian seems preoccupied with material things, and the opposite of courageous.

4. Is it credible to describe life in the U.S. and the West in general as ruled purely by formal laws? "If one is right from a legal point of view, nothing more is required. . . . Everybody operates at the extreme limit of the legal frames." Is that *true*? *Everybody*?

5. Is it true that the press, meaning all the media, is "the greatest power within the Western countries, more powerful than the legislature, the executive, and the judiciary"? Possibly, but the assessment cannot simply be asserted.

6. Is it really true that "what is not fashionable will hardly ever find its way into periodicals or books or be heard in colleges"? Counter question: Have you read this far in this editorial?

Solzhenitsyn's great power resides in his relentless fidelity to the truth. At his best, he can say with Walt Whitman, "I am the man, I suffered, I was there." His major novels, and his great act of historical recovery, *The Gulag Archipelago*, derive their authority from his sense of fact, and his reverence for it. Suspect assertions and faulty translation can only erode such authority.

Bear Hug

The American withdrawal and the surrender of South Vietnam, however we may judge their consequences for the United States, did not bring peace to Indochina. Too many lines of unresolved conflict, national, ethnic, economic, social, ideological, and strategic—regional and global as well as local—intersect there to permit tranquillity. War and revolution, continuous for 38 years, have in the past two months been mounting in one of their periodic surges.

The current struggles, bloody and ferocious as so often in Indochina, are a bewildering mixture of past, present, and future, and of the maneuvers of great powers with the battles of the local states and peoples. Fighting between Vietnam and Cambodia is no novelty. Modern Cambodia (or Kampuchea, as it prefers to be called) was the heartland of the mighty Khmer Empire, largely an extension of Indian culture, which from the ninth to the thirteenth century included conquered southern Vietnam as well as Thailand and Laos; the earlier wars of liberation were centuries long. For a thousand years, beginning in 111 B.C., and for long and short periods since then, the Viets were vassals of China —a heritage that neither China nor the Viets have forgotten.

It would be a long and delicate task to separate out all the ingredients that enter into the present turmoil. Two, however, seem to be dominant:

Within the local framework: The fighting between Vietnam and Cambodia is in part one more round in the millennia-old wars between Viets and Khmers, but it may also be, this time, a critical phase in the Revolution along the Mekong that Ho Chi Minh proclaimed. Laos is already under Vietnam's control. To the political heirs of Ho Chi Minh, completing the Revolution along the Mekong by the taming of Cambodia, with its seven million inhabitants, must seem a feasible objective for the massively armed 48 million Vietnamese. Indochina, federated under a single revolutionary government, would be the strongest power in Southeast Asia, in a position to take advantage of the dynamic development that seems likely to take place during the next decades in the entire region.

Within the global framework: These current Indochinese actions are manifesting the rivalry of China and the Soviet Union, and also, in the background, the latent operations of Japan and the United States.

As the Sino-Soviet split has widened, the Soviets have sought to outflank, or even encircle, China in order to counterbalance China's position on the Soviets' rear and flank. To this end Moscow sought and for some years gained close ties with India, but these were weakened by the fall of Indira Gandhi—a loss partly made good by the successful Afghan coup by pro-Soviet officers. Throughout the French and American segments of the Indochina wars, Moscow supported Hanoi on a vast scale, materially and politically, and now hopes to collect on its investment through a "special relation" with Vietnam that will include naval bases and airfields as well as a most favored seat in Vietnam's economy. Hanoi's positive response to these overtures was signaled at the end of June when Vietnam formally joined the Council for Mutual Economic Assistance (COMECON), the Soviet-controlled counterpart of the European Economic Community, the members of which are, besides the Soviet Union, the East European Communist nations, Mongolia, and Cuba.

The flight of ethnic Chinese from Vietnam, where their families had been settled for generations or even centuries, is no doubt in some measure another expression of the ancient enmity between Vietnam and China, but it is also part of the Chinese reaction to the progressing Soviet connection with Vietnam. It is not surprising to learn that shiploads of Chinese weapons have been arriving regularly at Cambodia's port of Kompong Som, a reinforcement that has a good deal to do with the unexpectedly strong resistance the Khmers have been showing against the much larger Vietnamese forces.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Although it has not been publicized in the West, the specialists who monitor events of the region have remarked that Vietnam's swing away from China and toward closer ties with the Soviet bloc has been accompanied by a growing propaganda campaign from Hanoi demanding that the United States be excluded from Asian affairs.

Intelligence Reform Act

Henceforth, according to the draft "National Intelligence Reorganization and Reform Act" now in the Senate Intelligence Committee, judicial warrants will be required to authorize surveillance—not of Americans—but of *foreign agents in our country*! When the President of the Association of Former Intelligence Officers characterized the bill as "An Act to Confer Fourth Amendment Rights on the Soviet Embassy and all KGB Officers in the U.S.," Committee Chairman Birch Bayh shot back, "Are you afraid we're not going to be able to find a federal judge we can trust?" Obviously, Bayh doesn't perceive the intrinsic difference between foreign counterintelligence and judicial responsibilities—or the unwisdom of loading the former onto the latter.

Beyond that, the bill's proposed crippling bureaucratic controls on U.S. undercover intelligence abroad might well be studied in light of the alleged thinness of the CIA's "circumstantial" evidence on the Cuban role in the Katangan invasion—an embarrassment brought home to Director Stansfield Turner, who himself recently gutted the CIA's foreign intelligence structure.

No wonder a senior KGB officer in the U.S. recently told a contact that the USSR could never have achieved a success as brilliant or as effective as the one the U.S. achieved for them by turning on the CIA and the FBI.

Counterattack

With tax-cut proposals shooting up across the country like mushroooms after a storm, the proponents and beneficiaries of big government are considering their options.

One emerging strategy is the end-run to the federal treasury. Jerry Brown has suggested that the Federal Government refund to California the $2 billion that will not be deducted from income taxes because of the property tax cut; while Los Angeles Mayor Tom Bradley called on Washington, Koch-like, for additional funds to keep city employment constant.

Those with the most to lose, however, are falling back on more direct methods—scare tactics (see page 887) and political counterattack. Los Angeles school officials have threatened to fire two-thirds of their teachers, while San Francisco Mayor George Moscone proclaimed a state of emergency—even though a report of the California Economic Development Department showed that his budget will shrink just 5 per cent.

Nationally, the pro-tax banner has been hoisted by the million-member American Federation of State, County, and Municipal Employees. "Every demagogue politician will be beating on us," declared AFSCME President Jerry Wurf, who ought to know about demagogues, since his solution to the tax problem is to "let the big-shots pay!" The 600,000-member Assembly of Governmental Employees is also making plans. "I can't see anything else but confrontation," said executive director James Marshall.

Such confrontations are apt to take two forms—public employee slowdowns, and politicking. The AFL-CIO's Public Employees Department has urged its members "to resist being overworked or overloaded with the duties of laid-off workers"; while Wurf is already looking for reinforcements. "We're looking for allies," he told reporters at the AFSCME national convention in Las Vegas—"the League of Women Voters, tax reform groups, academia, retirees, the council of mayors, anybody. . . . We're going to go into every community and every state." The tax revolution is under way; and so are the Tories.

Duck Soup

The West is threatened, according to a *Washington Post* survey by strategist Arthur Hadley, because U.S. and NATO troops are armed with sophisticated and expensive weapons that don't work, are too complicated to use, or exist in name only. Take, for example, the wire-guided Dragon, the infantry's principal anti-tank weapon. This monster "is too heavy to fire standing up, but if it is fired the best way, lying down, its blast burns off the firer's buttocks." Another anti-tank missile, the TOW (for "tube-launched, optically tracked, wire-guided"), is so expensive that gunners are permitted to fire only one practice round every other year. To these embarrassments add tanks whose enormous complexity and rapid crew turnover combine to ensure "that tank-driving skill in the U.S. Army is so low that tanks don't know how to maneuver individually and can only charge in massed formations."

The reigning presumption has always been that what NATO lacks in numbers it makes up for in superior technology. But if Hadley is correct, "the Russians, not the Americans, . . . have the most sophisticated weapons and communications systems . . . in Europe." In this connection consider the Yom Kippur War, in which Soviet-armed Egyptians disabled or jammed virtually all the American-armed Israelis' radar, air-to-ground, and long-range ground communications within a half-hour of their attack. Or the Army maneuver in Texas

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

last summer, when the First Cavalry Division, armed with copies of Soviet electronic equipment, battled the Second Armored, equipped with standard NATO devices. Result: "The Second Armored was wiped out." It's not even clear that NATO ground forces can distinguish friendly from enemy aircraft, a particular problem because of the velocity and high flight ceilings of modern fighters. "In their last two NATO maneuvers," Hadley writes, "the German air force discovered that its own troops had shot it out of the air after two days."

If Soviet war technology is superior to American, then NATO's ability to control the air, to stop Soviet tanks—even to communicate with its own battalions—is in jeopardy. Western military officials react to this problem with what Hadley calls the "rain dance"—a lot of shuffling feet, earnest prayers, and repeated assurances that three to five years from now, NATO will have weapons to match or surpass the Soviets'. Of course, in three to five years the USSR may have a new weapons system, too.

A Reader's Guide to the Budget

The rather arcane technical language of the federal budget and tax proposals has resulted in unnecessary confusion. Lengthy study of a variety of official documents has resulted in the following glossary of the proper use of government phrases in the hope of contributing to public understanding.

First of all, "tax reform" always means more taxes. It is never, never appropriate to use this phrase in connection with any change that might leave taxpayers with more money in their pockets.

Tax reduction, on the other hand, means that taxes won't rise as quickly as otherwise. At best, a "tax cut" may leave taxpayers with the *same* share of their income going to federal income and payroll taxes. Anything that actually results in the government's taking a smaller share is not a tax cut, but a miracle.

When used in connection with taxes, the terms "equity" and "fairness" mean, Tax somebody else. In current discussions, anything that increases the tax bite on "higher income" families is defined as equitable or fair. Higher income means over $15,000 in 1979 for a family of four, and is otherwise known as "above average." A working couple without children will be blessed with a "higher income" (and higher tax rates) if their combined income goes much above $10,000 next year. After a few more years of inflation, these "higher income" tax brackets will include just about everyone who continues to work (out of a patriotic urge to pay taxes).

"Budget restraint" means a mere 25 per cent increase in federal spending in two years. It also means using creative accounting to get more federal lending and spending outside of the budget.

When explaining this form of budget restraint, it is important to talk about "real" federal spending. If government spending in some years fuels inflation, we obviously have to have that much more spending in later years to ensure that spending keeps ahead of inflation. If your own income doesn't keep ahead of inflation, that is altogether different. The government will still put your inadequate cost of living increases into higher and higher tax brackets. The income may not be real, but the taxes will be. And federal spending increases will be very real indeed.

The goal of a "balanced budget" means federal borrowing of not too much more than $65 billion a year. Having people take their money out of savings accounts and the stock market in order to buy government securities is apparently so good for the economy that the resulting added production and tax revenues will lead us toward that ever-elusive goal of balanced budgets.

A "high employment" balanced budget, on the other hand, is something we might have if tax reforms (increases) and unbalanced budgets hadn't helped to throw us into an economic mess a few years ago. Yet the high employment deficit is also large and growing. The Council of Economic Advisors explains: "Just as a balanced actual budget is often not a desirable objective of fiscal policy, a balanced high employment budget will only on occasion be appropriate." Such occasions will not occur this year, or the next, or the one after that.

Finally, there is "uncontrollable" federal spending, which is spending that will occur unless Congress musters the courage to change the laws. One unconfirmed estimate is that the uncontrollable portion of the budget now equals 100 per cent of the total.

Armed with this glossary of federal terminology, the layman can begin to make some sense out of public pronouncements about federal taxing, spending, and borrowing. Down means up, high is low, and little is big.

Notes & Asides

■ Dear Mr. Buckley:

Yesterday I was quite delighted to receive your response to my somewhat aggressive request for that beautiful word "soritical." Some time ago in my astrological research I uncovered a stunning series which must be one of the well-kept secrets by those who know. It occurs to me with only a very slight penetration into the mysteries of sorites that it may be in some way demonstrative of this very sophisticated maneuvering. The mechanics I list:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Under relationships of heaven and earth in any horoscope, feminine or matriarchal at base and uses family relationships established in astrology. Ascendant plus Moon minus Venus is MOTHER. Taking MOTHER as ascendant, repeat this process for GRANDMOTHER. Taking GRANDMOTHER as ascendant plus Jupiter minus Saturn equals SISTER/BROTHER. Taking SISTER/BROTHER as ascendant plus Venus minus Moon equals Sister/Brother's female child. This last number is the *same* as the formula for MOTHER as ascendant plus Jupiter minus Saturn equals Mother's Sister/Brother.

The difficulty with the process is that it is dependent upon the exact time of birth for accuracy, like the computer it does not discriminate against false data.

Very truly yours,
Dorothy Bodenhorn
Mayfield Heights, Ohio

Dear Mrs. Bodenhorn: What does it take to ditch CARTER? Cordially, WFB

■ Dear Mr. Buckley:

Since you often seem to be the American Grammar Clearinghouse, I wanted to ask you about this sentence I recently saw. "Who are risking their lives?" This sounds awkward, but I can't figure out why. "Who are they?" and, "They are risking their lives," are both correct as far as I can tell, but combined they sound very bad. Is this a proper, simply unusual, construction, or is there something subtly wrong with it?

Humbly,
Bruce L. Holder
Boulder, Colo.

Dear Mr. Holder: Why not? "They are risking their lives for world revolution." "*Who* are risking their lives?" "The Marx Brothers." OK? Cordially, WFB

■ Memo to: Bill Buckley
Bill Rusher
Priscilla Buckley
From: Jim O'Bryan

The Lillian Hellman cover [January 21, 1977] won an award of merit from the IGI Art Competition & Exhibit.

■ Dear Bill:

Bravo for your protest vis-à-vis the Scottsboro case.

But an unfortunate phrasing slipped into your May 11 column (*New York Post*) on the Skokie madness: "The Jewish race." Uh-uh. Never. The Jews are not a race (save in the eyes of the Nazis). Anthropologists will howl (or bay) for your blood. Agitated Jews will mutter ominously. Zbig. B. will privately chuckle that you, too, made a boo-boo.

So what does one call the Jews? A people, an ethnic entity, an ethnic group, a branch of the Caucasian race, Semitic division. For myself, Jews are a culture/ethos/religion—characterized by those qualities I explore in the introduction to the *Joys of Yiddish* or the preface to my *Treasury of Jewish Quotations.*

With affection,
Leo [Rosten]
New York, N.Y.

Dear Leo:

I hesitate to speak back to the pope in such matters, but the fact of it is that the word "race" is legitimately used in entirely non-genetic contexts. I give you from Webster's III, p. 1,870, "**race** . . . **2** . . . **b:** a class or kind of individuals with common characteristics, interests, appearance, or habits as if derived from a common ancestor (the ~ of doctors) (the whole ~ of mankind—Shak.) (the Anglo-Saxon ~) (the Jewish ~)." The mistake is in supposing that there is such a thing ethnically as a Jewish race, a somatological presumption the equivalent of which would be to suppose that there were such a thing as a Catholic race. But you *can* say, "As a race, the Catholics are an objectionable people" and get away with it. Grammatically. Warmest regards, Bill

■ Dear Mr. Buckley:

May I think about it for a while?

Yours faithfully,
Bruce R. Beaman
Stevens Point, Wisc.

■ Dear Mr. Buckley:

As an admirer of your journalism for many years I want to tell you how I enjoyed your latest novel.

My wife, though, who is equally appreciative of your political commentary, said that she could not bring herself to read any novel which, on its first page, refers to a character called Nicolai Stepovich Fechitov. And she didn't.

Sincerely,
Joe Preston
Springfield, Va.

Dear Mr. Preston: Mrs. Preston will never know what happened on the second page! Cordially, **—WFB**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

PROPOSITION 13

Winners & Losers

JAMES BURNHAM

PERCHED ALONG the main line of the San Andreas fault, as we were for a fortnight following June 6, we could feel the continuous rumble of the after-shocks of the Jarvis-Gann earthquake. Proposition 13 had, in fact, features that guaranteed turmoil following its eruption.

According to its terms, the reduction in the real property tax (to 1 per cent of the 1975 assessment) became effective on July 1, the start of the fiscal year for the municipalities and sundry local commissions (water, sewage, garbage, schools, etc.) that have been getting funds from property taxes. Proposition 13 forbids new substitute taxes except on a two-thirds vote of the legislature—a lengthy route. The local budgets had to be squeezed into some semblance of solvency in a month.

This was not, however, just a slashing problem. The State of California had somehow or other piled up a surplus amounting to more than $5 billion. As the local statesmen saw it, a piece or at least a crumb of this juicy pie was going to keep them from starving during the first year of their journey into the wastelands of Jarvis country.

The California property tax has been reaping about $12 billion yearly. Proposition 13 will cut that back by 57 per cent—about $7 billion. What was the outcome of this first major battle over redistribution of the spoils? I will leave analysis of the significance and long-term consequences to Milton Friedman, Walter Cronkite, Evans & Novak, Barbara Walters, Paul Samuelson, and other theologians, and stick to the unanalytic job of drawing up a score sheet. Who won and who lost?

The Winners

1. The most obvious and undiluted winners were the owners of the hotels, motels, and bars of Sacramento. Never have so many lobbyists zeroed in with such speed and passion. Someone was there from every city and hamlet, every public commission, union, and professional organization, every school board and university. And each, as with one voice, petitioned the State House: don't include *our* people in the layoffs, don't shut down *our* projects, give *us* a share of that surplus.

2. The owners of private summer camps were close competitors. When the word came out that most school districts were canceling summer school, the telephones of the camps gave a simultaneous ring, and from then on it took a parent at least an hour to get through. The camps reported applications up as much as 600 per cent over last year.

3. In total haul, the owners of industrial and commercial property were out in front. More than $2 billion of Proposition 13's paring will drop from their expense columns to the reciprocal benefit of profits. The greater part of this remembrance from the voters of California will go to corporations domiciled outside of California and therefore beyond the reach of possible counterbalancing efforts later on.

4. It was close to a dead heat between the corporations and the U.S. Treasury. The Treasury was awarded a $1.7-billion annual prize by Proposition 13. This is the estimated amount of extra federal income tax that will be paid by California property owners reporting lower deductible real estate taxes.

5. Most California homeowners are, also, among the winners. Out of the $7-billion Proposition 13 pot, the homeowners' gross take is about $1.6 billion. A sizable percentage of this will be drained away by the higher federal income tax they, too, will pay. Then, though new compensating taxes are slowed, governing agencies do not lack ingenuity in reaching into citizens' pocketbooks. Hitherto "free" (i.e., paid through taxes) services can be charged for. Within the first week after June 6, a number of towns began special charges for garbage pickup.

6. The biggest individual winner was undoubtedly Jerry Brown. He is the first politician in history to have a campaign kitty of $5 billion, and he has been using it like a champion.

The Losers

1. Most categories of government workers (public employees, civil servants, bureaucrats) include losers, though the extent of the losses is reduced this year by deployment of the surplus. The shutdown of summer schools was a substantial loss for teachers and other school systems employees. In many sectors there is a freeze on new hiring. Many raises, including cost of living adjustments, are canceled. Many make-work projects, partly financed from Washington, are being closed out. June graduates of the Los Angeles Police Academy (rated the nation's best) got their diplomas one noon and were laid off a half-hour later. It is noticeable that few if any layoffs are from the middle or upper bureaucratic strata. They are from the low seniority, low paid levels.

2. Renters lost out. Proposition 13 has nothing for renters. There is no sign that any but a token number of landlords will lower rents to reflect the lower tax. As a class, renters are poorer than homeowners, and in California poorer means having a larger percentage of blacks and Mexicans.

3. Persons getting welfare payments of one kind or another (1.5 million in California) were losers, though it was not clear how heavily. They will get less than they had been promised (in cost of living and other increased payments) but there was bitter fighting over proposed decreases.

The score sheet as of July 1 shows an unmistakable alignment: the bureaucracy, the poor, and (overlapping the poor) the blacks and Mexicans *v.* the non-governmental middle and upper (and mostly white) classes. This division was clearly augured in the June 6 vote, which ranged from as low as 12 per cent pro-13 in non-white, poor voting districts of Los Angeles to 96 per cent in the wealthy, white districts of Santa Barbara.

Well, place your bets, ladies and gentlemen. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

PROPOSITION 13

The Scare Tactics That Backfired

TOM HAZLETT

THREE DAYS AFTER California's primary election, a neighbor who does post-doctoral research in the UCLA Department of History was complaining to me about my support for Proposition 13. His heart wasn't in it, however, for he conceded I was in the best of company—every last one of his colleagues had voted for it too. Somewhat startled, I asked if he was actually referring to UCLA professors of history. "Of course," he said, drooping; "they've all got tenure and own homes. That's where liberalism has gone."

In California, liberalism has indeed been gobbled up by the Tax Assessor's office. Inflation has shot modest wage earners into marginal tax brackets of 30 to 40 per cent, thanks to the wonders of our progressive income tax system. And, despite the archaic Marxist rhetoric of some of Proposition 13's more outrageous opponents, you do not have to be a millionaire to be stuck in a home that has gone from, say, $30,000 ten years ago to $70,000 today. For the privilege of living in a more expensive neighborhood without having to move, this sub-millionaire family must come up with about $2,500 each year—until the next reassessment, when it will have to pay more. The bottom line is clear: when today's average family finishes paying its income, property, and sales taxes, it will have spent more on government than on its house, car, and food combined. When the middle class finally got "mad as hell" about this burden, the Establishment flinched, scrambled about, and began to panic; and in the end, it was this public sector panic that commended Proposition 13 to homeowners.

Mr. Hazlett is currently working on his doctorate in economics at UCLA.

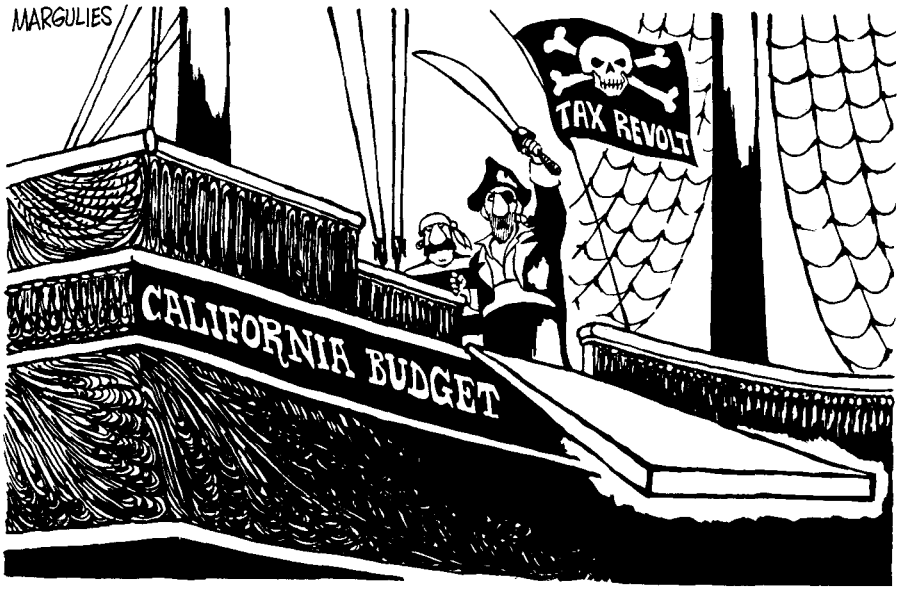
The scare tactics have been well publicized, as has the massive coalition that condemned Jarvis-Gann: Republicans, Democrats, newspapers, the California Chamber of Commerce, organized labor, teachers and school administrators, renters, the League of Women Voters, the Bank of America, etc., etc. Governor Jerry Brown labeled Proposition 13 a "rip-off," and the *Los Angeles Times* entitled it the "Landlords' Enrichment Act." Thousands and thousands of dollars were drawn from the government treasury to print and distribute anti-13 tracts in the public schools, and the airwaves were nearly purchased outright for the broadcasting of threats by concerned public servants.

My favorite tale of political apocalypse began about two or three months prior to the election, when the Los Angeles Board of Education sent termination notices to several thousand teachers—every employee who might conceivably be fired in the event Proposition 13 passed. This action was challenged in the courts, unsuccessfully. The L.A. City Unified School District was able to produce a statute that required the city to give advance notice to job-holders who were to be laid off, so as not to cause them undue trauma when the axe fell.

As the hours ticked off toward election day, the panic mounted. The teachers' termination notices had been a good try, but they obviously hadn't been potent enough to knock sense into the majority. So, three weeks before the election, resourceful County workers prepared to post shut-down notices on five thousand public buildings in and around Los Angeles. Each notice would inform the electorate that, should it approve Jarvis-Gann, this particular public bulding might have to be closed. Here was creative escalation. Teachers had been warned that they might have to relocate, but where is a library to move? How is an art museum to find other work? Sadly, this civic-minded plan was aborted by a local judge.

IT WAS PRECISELY these scare tactics by public "servants" that led to Proposition 13's astounding mandate. Howard Jarvis, an enthusiast with little political skill and even less economic knowledge, has been identified by the media as a heinous demagogue who almost single-handedly whipped the masses

(Continues on page 912)



Margulies Rotheo

"Needy women and children first!"

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE PARANOID'S POOR RICHARD

help !!!!

Wishing is unlikely to make it so.

We live by anachronistic Battle Cries and flawed Shouts.

A society which stresses rewards for the weak, the sick and the backward at the expense and denigration of the energetic and resourceful will find itself, astonishingly, with a superabundance of the former and a dwindling trickle of the latter.

A Congressman's Cynical Repudiation is a Supreme Court Justice's Agonizing Reappraisal, or vice versa, depending on the Winds of Demagogy.

An Ounce of discreetly-misapplied Whitewash is worth a Pound of accurately-aimed Creosote.

Easy Pleasers are Easy Weepers.

An unenforceable law is a law that might cost votes to enforce.

Long Carrots and Short Sticks make Bad Sociology.

A Kick in Time saves Nine at the Correction Farm.

The number of unemployed and needy decreases, miraculously, in direct ratio with the decrease in subsidies to the unemployed and needy.

Angels jump in where fools might think twice.

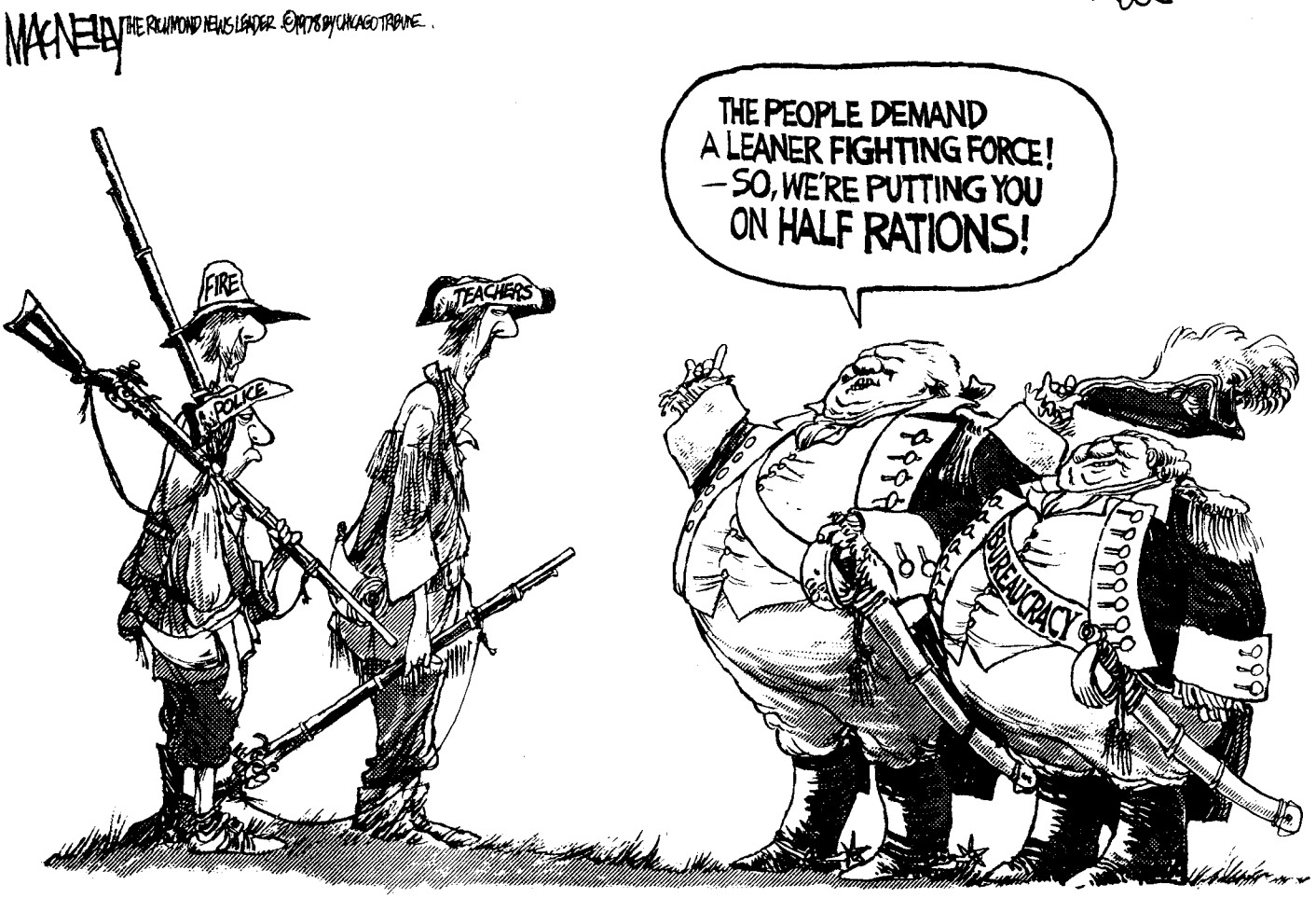
From Authorized Pre-"Edited" version of *The Boggle*, by John Kreuttner.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Warning from the Fed

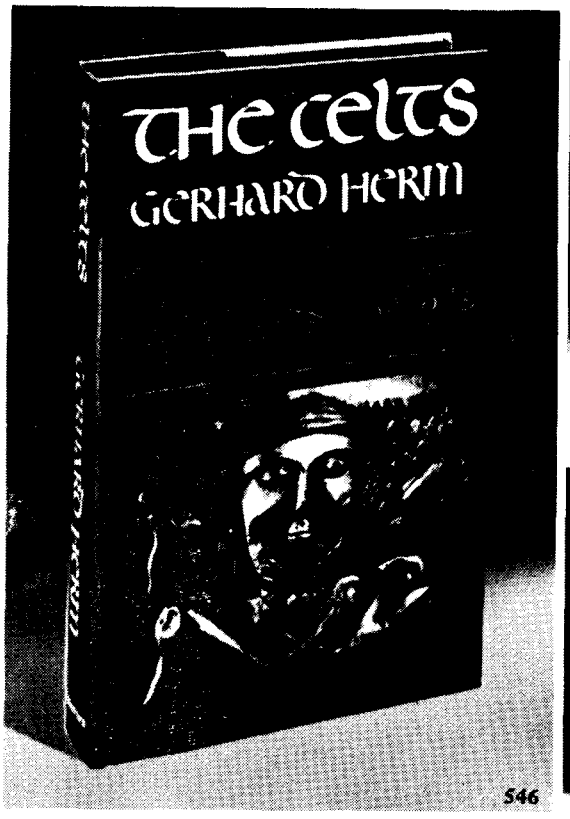
In 1580, Spain appeared supreme;
The convoys, stuffed with bullion from Peru,
Encouraged Philip's Humpty-Dumpty dream
To reconstruct a Europe Luther blew.
Meanwhile, in Holland, Alba's derring-do
Appeared to humble William and the Dutch.
When, later, Philip signed an IOU,
The Lombard bankers were an easy touch.
Inevitably, Philip dreamed too much:
The Inca mines could not support the cost.
The infantry was Philip's final crutch,
And, one day at Rocroi, the army lost.
G. William Miller, Chairman of the Fed,
Suggests we're marching where the Spanish tread.

W. H. VON DREELE

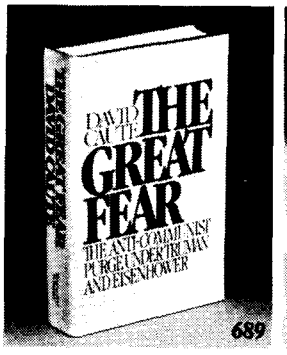

MACNELLY THE RICHMOND NEWS LEADER ©1978 BY CHICAGO TRIBUNE
FIRE
POLICE
TEACHERS
THE PEOPLE DEMAND A LEANER FIGHTING FORCE! —SO, WE'RE PUTTING YOU ON HALF RATIONS!
BUREAUCRACY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

26 engrossing books of

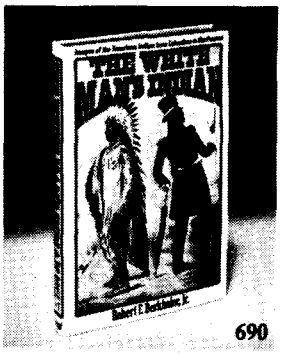


The Celts. *By Gerhard Herm.* A 2000-year epic study of a fierce people and their rise to an empire rivaling Greece and Rome. $12.50/**$8.50**

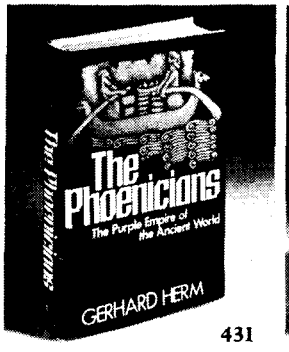


The Great Fear: The Anti-Communist Purge Under Truman and Eisenhower. *By David Caute.* $14.95/**$9.90**

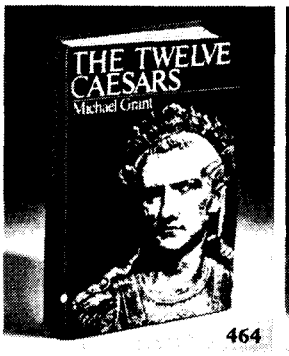
The Battle of the Atlantic. *By J. Costello and T. Hughes.* The struggle between German U-boats and the Allies for control of the seas during World War II. $14.95/**$9.90**



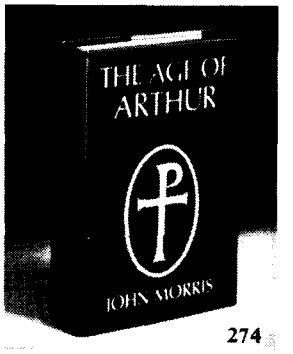
The White Man's Indian: An analysis of the misconceptions of Native Americans that have persisted for 600 years. *By R. F. Berkhofer, Jr.* $15.00/**$9.95**



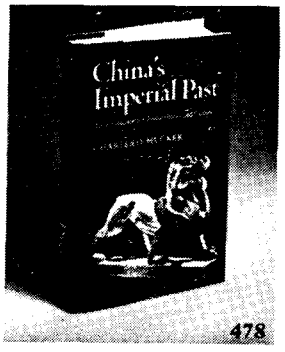
The Phoenicians. *By Gerhard Herm.* A portrait of the people who traveled and traded with the world for 1000 years. $8.95/**$7.50**



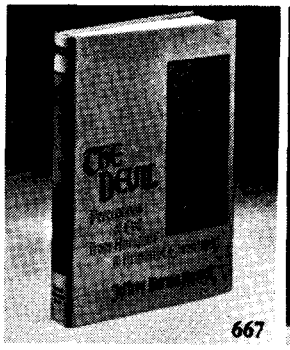
The Twelve Caesars. *By Michael Grant.* From Julius in 49 B.C. through Domitian in 96 A.D. $12.50/**$8.75**



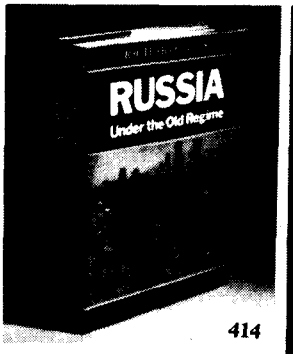
The Age of Arthur. *By John Morris.* British history from 350-650 A.D. $17.50/**$11.95**



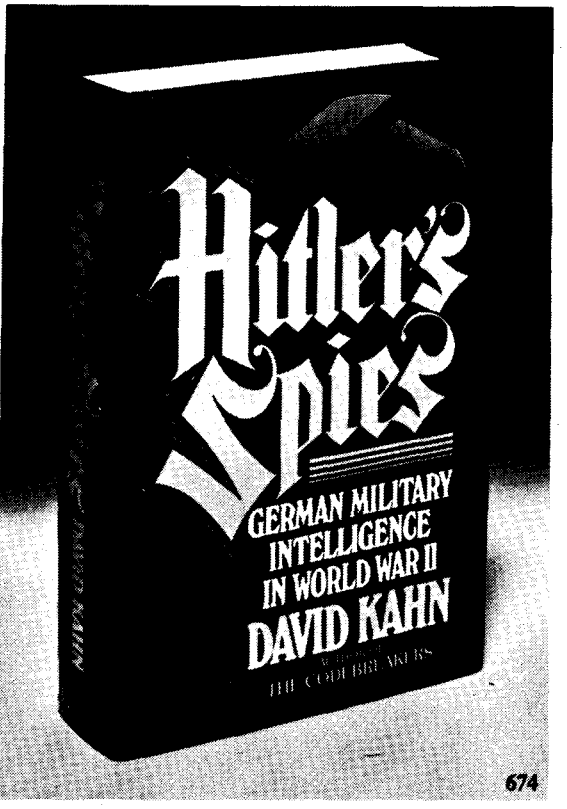
China's Imperial Past: An Introduction to Chinese History and Culture. *By Charles O. Hucker.* China's achievements from prehistory to 1850. $17.50/**$11.95**



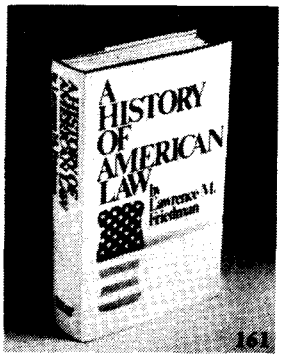
The Devil: Perceptions of Evil From Antiquity to Primitive Christianity. *By J.B. Russell.* $15.00/**$9.95**



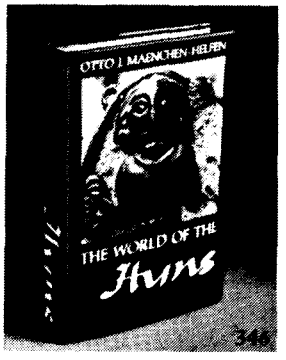
Russia Under the Old Regime. *By Richard Pipes.* Analysis of 1000 years of Russian growth. $17.50/**$10.95**



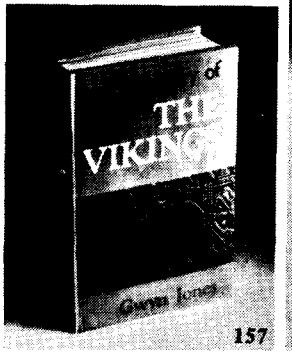
Hitler's Spies: German Military Intelligence in World War II. A spine tingling investigation of the Third Reich's espionage: agents, scope and techniques. *By David Kahn* $16.95/**$10.95**



A History of American Law. *By Lawrence M. Friedman.* The interrelationships of American law and our political and social history. $17.50/**$10.95**



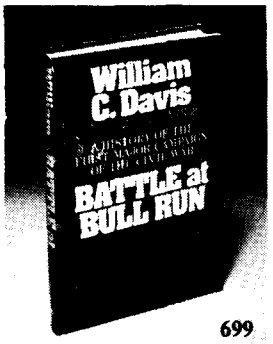
The World of the Huns: Studies in their History and Culture. *By O. F. Maenchen-Helfen.* $20.00/**$11.50**



A History of the Vikings. *By Gwyn Jones.* From prehistory to 1066 A.D. $15.00/**$9.95**

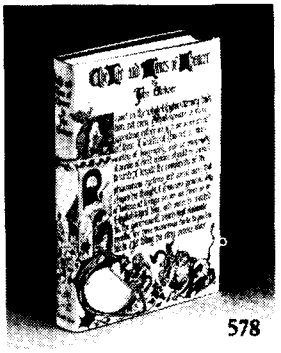
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

history and world affairs...



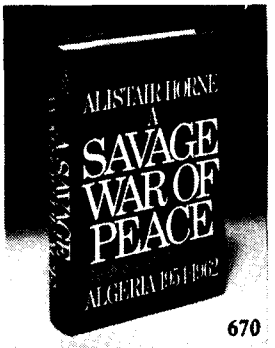
699

attle at Bull Run: A History of ıe First Major Campaign of the ivil War. *By William C. Davis.* $9.95/**$7.50**



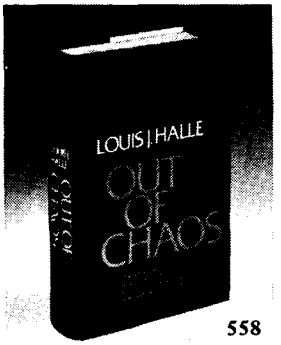
578

The Life and Times of Chaucer. *By John Gardner* $12.50/**$8.75**



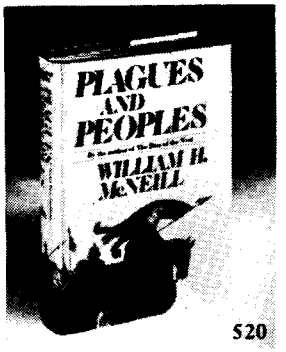
670

A Savage War of Peace: Algeria 1954-1962. *By Alistair Horne.* $19.95/**$11.50**



558

Out of Chaos. *By Louis J. Halle.* A grand sweep of history—of nature and the universe, of man, his science, art and civilization. $20.00/**$12.95**



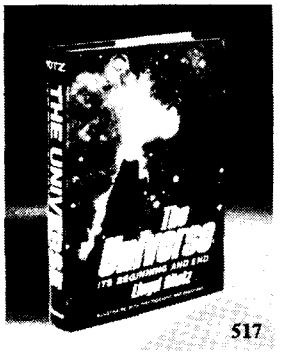
520

Plagues and Peoples. *By William H. McNeill.* Impact of diseases on civilizations from prehistory to the present. $10.00/**$7.75**

Take Any 3 All For 99¢

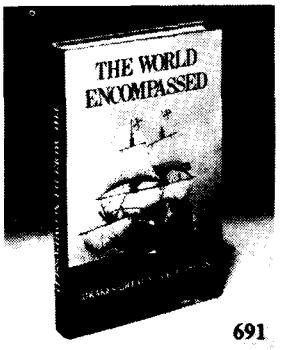
values up to $65.00 (with trial membership)

First price is publisher's list. **Boldface** shows member's price.



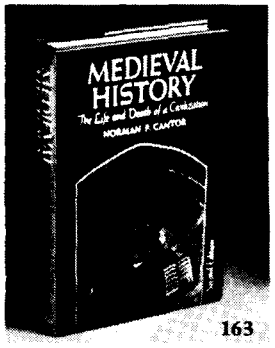
517

The Universe: Its Beginning and End. *By Lloyd Motz.* An awe inspiring look at the origin, evolution and predicted collapse of the universe. $14.95/**$9.95**



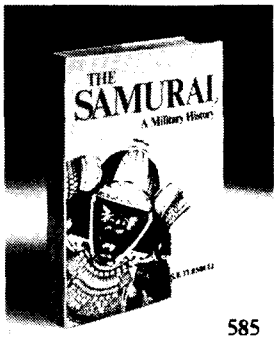
691

The World Encompassed: Drake's Great Voyage, 1577-1580. *By Derek Wilson.* $12.95/**$8.95**



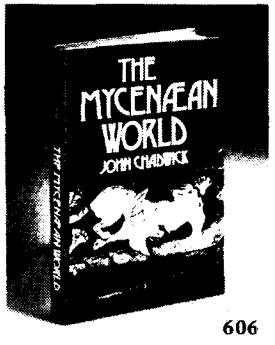
163

ledieval History: The Life and ›eath of a Civilization. *By Norman . Cantor.* $11.95/**$8.95**



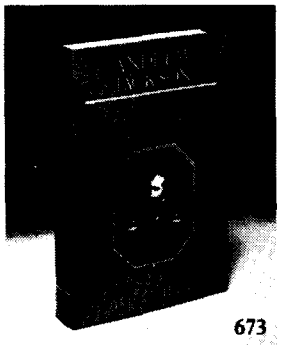
585

The Samurai: A Military History. *By S.R. Turnbull.* Japan's fierce warriors and their code of honor. $17.95/**$11.95**



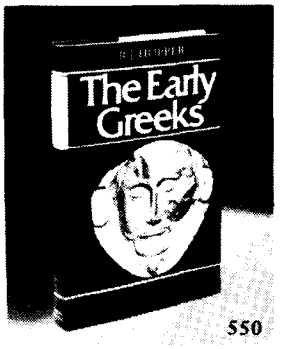
606

The Mycenaean World. *By John Chadwick.* A vivid reconstruction of pre-classical Greece based on the decipherment of ancient tablets. $17.95/**$11.95**



673

Andrew Jackson: And the Course of American Empire 1767-1821. *By Robert V. Remini.* $15.00/**$9.95**



550

The Early Greeks. *By R.J. Hopper.* The emergence of Greek civilization in all its archaeological and cultural splendor. $25.00/**$13.00**

4 Good Reasons To Try The History Book Club

Big cash savings. Last year our members saved 33% on their Club purchases. Your total savings as a trial member, including this intoductory offer, can be more than 50%.

Liberal bonus plan. You can qualify for added savings through bonus books, selected from our full list of 150-200 fine works.

Exceptional quality. In its 32 years, the Club has distributed over 1,000 outstanding books, including 67 award-winners. Our books are always the equal of publishers' editions, never economy reprints.

Membership benefits. A membership account will be opened for you, to which your purchases will be charged at the low member's prices. You need pay only after you have received your books. A postage-and-packing fee is added to each shipment. Every four weeks (13 times a year) you will receive our *Review* containing descriptions of new and recent selections. If you want the Editors' Choice, do nothing; it will be sent automatically. If you want another book, or no book at all, return the card by the date specified. If you should receive an unwanted book because you had less than ten days to decide, you may return it and pay nothing. We guarantee postage.

PS78B

THE HISTORY BOOK CLUB, Stamford, Conn. 06904

Please enroll me as a trial member and send me the four books whose numbers I have entered below. Bill those on the left at 99¢ for all three and the fourth at the low member's price, plus postage-and-packing. NV-70S

☐ ☐ ☐ ☐

I may return the books within three weeks at your expense and owe nothing. Or, I will buy four more selections within a year (*not counting my choices above*), and then I may resign at any time. All Club purchases are at low member's prices, and a postage-and-packing fee is added to all shipments.

Print Name_____

Address_____

City_____ State_____ Zip_____

In Canada, mail to The History Book Club, 16 Overlea Blvd., Toronto M4H 1A6, Ontario.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

JUDICIAL IMPERIALISM

The Supreme Court's Abuse of Power

LINO A. GRAGLIA

DO WE HAVE an imperial judiciary? To put the question in more manageable form: What at this time, in our system of government, are the actual, effective limits on what our judges can do? Specifically, what are the limits on what the Supreme Court can do, acting in the name of constitutional law? We know that judges can order the reapportionment of our legislatures, state and federal; remove most restrictions on the availability of abortion and on the distribution of materials historically considered obscene; prohibit prayers and devotional Bible reading in public schools; and require the transportation of public school children in order to increase racial mixing in the schools. And we now know that a judge can even require that a neutered male be permitted to compete in the women's division of the United States Open Tennis Tournament. The British Parliament, it used to be said, can do anything but make a man a woman; this limitation, it appears, does not apply to our judges. The list could easily be extended, but this is surely enough to show that the question is a serious and important one.

The basic theoretical limit on the power of courts—the basic argument used to reconcile judicial power with elected, representative government—is, of course, that judges can do no more than apply and, if need be, interpret the law: preexisting, authoritatively established statements of rules and requirements. As Justice Roberts put it in his famous statement in the *Butler* case (1936), judges in constitutional cases merely place the challenged statute alongside the relevant constitutional provision and see whether the two square. (A carpenter could do it.) Justice Roberts wrote:

> When an act of Congress is appropriately challenged in the courts as not conforming to the constitutional mandate, the judicial branch of the government has only one duty; to lay the article of the Constitution which is invoked beside the statute which is challenged and to decide whether the latter squares with the former. All the court does, or can do, is to announce its considered judgment upon the question. The only power it has, if such it may be called, is the power of judgment.

Now, that statement was made in a case that illustrates almost as well as any that this is *not* what judges do. Nearly all present-day students of the matter will agree that Justice Roberts somewhat understated judges' power of choice. But (a modern defender of judicial power will argue), although the frequently litigated provisions of the Constitution are very general and indefinite, they do provide the basic principles that, properly understood, indicate the "correct" decision on specific constitutional questions.

The fact is, however, that a serious constitutional question is such not because it involves a basic principle of value but because it involves several such principles or values in conflict. In virtually all cases that actually come to the Supreme Court for decision, there is nothing in the Constitution to indicate how the conflict of principles or values should be resolved. As a practical matter, the Constitution is simply irrelevant to constitutional law except that it provides the peculiar phrases—typically "due process," "equal protection"—used to state the ultimate conclusions reached. If this is a surprising statement, it is only because belief that the Constitution contains answers to all questions of social policy is an article of our secular religion—it is not for nothing that judges wear black robes and the Supreme Court sits in a temple—or, for the more sophisticated, because the statement violates a widely accepted, though grossly misleading, convention concerning our references to the work of judges.

The irrelevance of the Constitution to constitutional law can be easily demonstrated. For example, there was a time when "the Constitution" permitted the assignment of children to schools according to race in order to separate the races. There was then a time when "the Constitution" prohibited such assignment. There was then a time (the present) when "the Constitution" was adduced as *requiring* the assignment of children to schools according to race—but, now, in order to mix the races. In all of this time, of course, the Constitution was not changed in any relevant respect.

To take another example from the same area of law, school segregation was held unconstitutional in the *Brown* case because it was found to violate the Equal Protection clause of the Fourteenth Amendment. Another case decided at the same time involved school segregation in the District of Columbia, under the jurisdiction of the Federal Government, to which the Fourteenth Amendment does not apply. The unavailability of the Equal Protection clause—the supposed basis of *Brown*—of course made no difference in the result

Mr. Graglia is a professor of constitutional law at the University of Texas Law School and author of Disaster by Decree: The Supreme Court Decisions on Race and the Schools.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

reached. The Supreme Court simply found that school segregation in the District of Columbia violated the Due Process clause of the Fifth Amendment—an amendment adopted in 1791 as part of a Constitution that recognized black slavery. If the Fifth Amendment had also been considered unavailable for some reason, school segregation in the District of Columbia would undoubtedly have been found to violate some other constitutional provision—although the Constitution is very short, it is extremely general and vague, as befits a Constitution but does not befit a provision of law enforceable by judges.

Taking an example from another area, the Constitution specifically, in four places, recognizes capital punishment, but some justices have nonetheless taken the position that capital punishment is constitutionally prohibited, and a majority of the justices have found it constitutionally permissible only in very limited circumstances—have found that it is unconstitutional, for example, as a punishment for rape.

As a final example—looking at the situation from the other side, so to speak—one of the most specific and definite provisions of the Constitution is the provision prohibiting states from impairing the obligation of contracts. It is clear that this provision was intended to prevent the states from adopting debtor relief laws, and this was considered so important that it is one of the very few limitations on state power written into the original Constitution. Yet when a debtor relief law came before the Court in the *Blaisdell* case in 1934—in my opinion the most clearly unconstitutional statute ever to come before the Court—the Court held it constitutional. I do not want to seem to be objecting to that decision, in which the political process was allowed to prevail; I cite it only to illustrate that the provisions of the Constitution, even the clearest, do not bear on constitutional decisions, except as they provide the explanations offered by the Court. It is indeed possible to imagine a legislative or other official act that could be realistically said to violate a constitutional provision, but such legislation is almost never enacted—and, as the *Blaisdell* case illustrates, in the extremely rare case where it is enacted, it is not necessarily held unconstitutional.

The claim that the Supreme Court's power derives from and is limited by moral principles is no less fictional than the claim that it derives from or is limited by the Constitution

If, as should be clear, the Constitution does not in fact significantly determine or limit the Supreme Court's power, what, if anything, does? Another basic justification often offered for the Court's apparently unlimited power in our supposedly democratic system of government is, surprisingly, that the Court has no "real" power at all. Even if it is not significantly limited by the Constitution, this argument goes, the Court controls neither the sword nor the purse, and the effectiveness of its decisions therefore depends "ultimately" on its "moral authority."

The Court is thus often likened to a very respected and influential teacher or spiritual leader. However, as Clinton McCleskey has pointed out in *Judicial Review in a Democracy: A Dissenting Opinion*, the views of teachers and preachers are not ordinarily enforced by the power of the state. Little Rock can attest that the enforceability of Supreme Court decisions does not depend upon the Court's ability to persuade its opponents, and that the Court has an effective call, if need be, upon the bayonet. It seems easy for many to forget that a Supreme Court decision is not less enforceable or effective because the Court's opinion is demonstrably incoherent, its reasoning illogical, and its factual statements inaccurate. Few people read Supreme Court opinions, and fewer still study them critically and compare the facts as stated by the Court with the facts shown in the record of the case. In any event, what it means to be supreme is that your views prevail even when you are clearly wrong. As Justice Jackson said, in a concurring opinion in *Brown* v. *Allen*, the Supreme Court is not final because it is infallible, but it is infallible for all practical purposes because it is final.

The claim that the Supreme Court's power derives from and is limited by moral principles, or by a supposed need on the justices' part to maintain unusually high standards of integrity, is no less fictional than the claim that it derives from or is limited by the provisions of the Constitution. The Court's freedom from authoritative determinations that it has erred has the effect on Supreme Court justices that is predicted by Lord Acton's dictum concerning the tendency of power to corrupt.

As Thomas Jefferson never tired of reminding us, judges are not, more than other rulers, immune from the effects of the possession of power.

> Our judges [he wrote to William C. Jarvis in 1820] are as honest as other men, and not more so. They have, with others, the same passions for party, for power, and the privilege of their corps. Their maxim is "*boni judicis est ampliare jurisdictionem*," and their power the more dangerous as they are in office for life, and not responsible, as the other functionaries are, to the elective control.

Indeed, because in our legal theory judges are not authorized simply to announce their policy views, but are required to claim a constitutional basis for their decisions invalidating the acts of other officials—a basis that typically does not in fact exist—the practice of judicial review is inherently inconsistent with candor. In effect, judges finding unconstitutionality must demonstrate what cannot be demonstrated, and wide departures from usual standards of accuracy and rationality are the inevitable result. How wide these departures are at any given time depends on how much the judges are willing to attempt, and for more than two decades now our judges, as already noted, have been willing to attempt a very great deal. As a result, they have been forced to explain and justify their actions with opinions that can make no claim to intellectual coherence or respectability, and they have engaged in practices—perversions of legislation, misstatements of fact, and patently fallacious reasoning—that would, if they were engaged in by any other government officials, be considered scandalous and lead to demands for impeachment.

The Supreme Court's almost total freedom from the restraints of honesty and rationality can be demonstrated, and the nature and source of constitutional law can be understood, only by detailed study of the Court's actual perfor-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

mance in specific areas of constitutional law. No area serves better for this purpose than the area of race and the schools, where the Court's decisions have led to a constitutional requirement that public school children be transported out of their neighborhoods and away from their neighborhood schools in order to increase racial mixing or "balance" in the schools. In 1954, in the *Brown* case, the Court held that segregation is unconstitutional. As important as that case was and is for its holding, it is far more important for the fact that it basically changed the views of the country, and specifically of judges, as to the proper role of judges in our system of government. *Brown* was less a traditional lawsuit than an attempt to bring about a social revolution through the courts. The success of that revolution, some ten years later, inevitably led to the belief that there is nothing that courts cannot or should not do. This new view of its power and position led the Supreme Court in 1968, in the *Green* case, to move from *Brown*'s prohibition of segregation to the vastly more ambitious and questionable requirement of integration.

Brown's prohibition of segregation had, by 1968, proven very disappointing to some. The assignment of children to schools in order to keep the races apart—and, indeed, all legally required racial separation—had come to an end by 1968, but in the schools of the South, as in the schools of the North, much racial separation continued to exist. The idea therefore arose to *require* by law that the races be mixed—that is, to compel a greater degree of integration than results from the prohibition of segregation and the use of non-racial methods of assignment. Legally compelled integration, however, faced a major and perhaps insurmountable obstacle, the need to overcome the very principle that had been the justification of *Brown*'s prohibition of segregation. *Brown* could be and was explained and justified as simply a prohibition of all racial discrimination by government. Compulsory integration, however, requires that racial discrimination by government be made not only permissible but mandatory.

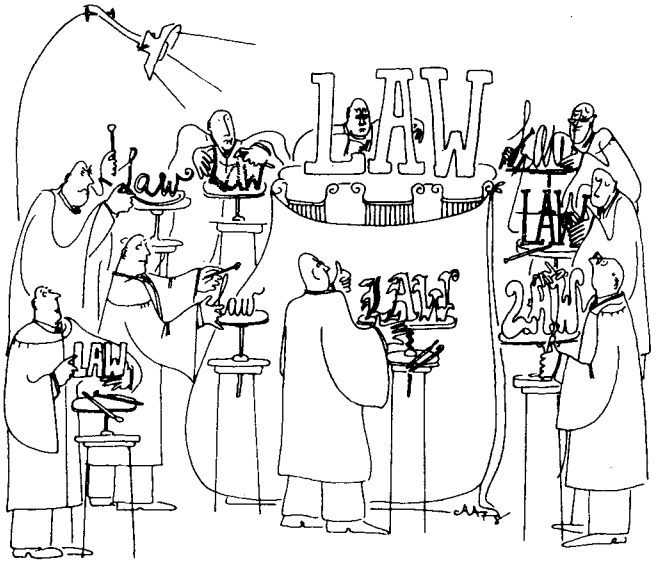
Compulsory busing for racial balance takes place in this country, despite great popular opposition, not because of the Supreme Court's moral authority, but, on the contrary, because of the Court's relative freedom from moral restraints. There is no logical difficulty in distinguishing between racial discrimination to separate the races and racial discrimination to mix them, or in holding that the Constitution prohibits the former but requires the latter. As a practical matter, however, such a holding was impossible—even the power of the Supreme Court is, of course, not absolute. After many years of emphatic insistence that racial discrimination by government is constitutionally prohibited, the Court could hardly announce all of a sudden that racial discrimination is sometimes constitutionally required.

The Court, however, did not permit this difficulty to stand in its way. In law all things are possible (for example, the changing of a man to a woman), for all that is necessary is to change the meaning of words. The Court simply determined to impose a requirement of integration in fact, by what it ordered to be done—but, simultaneously, to deny that it was doing so, to insist that the requirement was only "desegregation," the ending and undoing of the segregation prohibited in *Brown*. To this day the Court has never admitted—in fact, has consistently denied—that there is a constitutional requirement of integration as such; in theory there is no constitutional objection to the existence of all or nearly all black and all or nearly all white schools within a school district or in close geographical proximity.

This strategy—insisting that the requirement was not integration but only desegregation—had enormous advantages for the Court. First, it appeared to confine the requirement to the South and, therefore, served to minimize the attention and concern of the North. A constitutional requirement of desegregation would obviously be applicable only where there was or had been unconstitutional segregation. Second, denying that there was a constitutional requirement of integration obviated all need to attempt to justify such a requirement on its own merits—either in terms of any constitutional principle, or in terms of the benefits that might be thought to result. Finally and most importantly, instead of having to attempt the unappealing and unpromising task of justifying a constitutional requirement of racial discrimination, the Court was able to claim that it was merely continuing to enforce *Brown*'s prohibition of racial discrimination.

The only difficulty with the Court's "desegregation" (or "remedy") rationale for compulsory racial mixing was that it did not comport with what the Court was doing in fact. Each succeeding case made clearer that the Court was not requiring merely the ending or undoing of the segregation prohibited in *Brown*, but was requiring integration or racial balance for its own sake, the ending of racial separation in the schools regardless of how that separation was caused. A true requirement of desegregation would result today in no or almost no transportation of pupils in order to undo racial separation, because existing racial separation in the schools is not the result of racial discrimination by school authorities but is simply and clearly the result of residential racial concentration. In short, the Court has perpetrated a fraud, has done by deception what it felt it could not do honestly. This hardly disputable fact did not, however, cause the Court's decisions to be less binding, effective, or enforceable. Busing for racial balance pure and simple continues to take place throughout the country.

That gross misrepresentations of fact and patently fallacious reasoning in the Supreme Court's opinions do not detract from the efficacy of its decisions may be illustrated by



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

consideration of two of the Court's major decisions on race and the schools, *Swann* v. *Charlotte-Mecklenburg Board of Education*, the Court's first busing case, and *Keyes* v. *School District Number One, Denver, Colorado*, which brought compulsory integration and busing to the North. In *Swann* (1971) the Court, as always, insisted that the requirement was not integration but only desegregation. The "objective," the Court said, was to see that "school authorities exclude no pupil of a minority race from any school system, directly or indirectly, on account of race." What the Court required in fact—the assignment of children to schools other than their neighborhood school according to race in order to increase racial mixing—was, of course, the exact opposite of this. The exclusion of pupils, minority as well as majority, from schools because of their race was in fact not prohibited but required. Thus, a requirement of racial exclusion was justified by the Court in no other way than by insisting that racial exclusion was prohibited—a justification that can suffice only when offered by a decision-maker subject to no review and no contradiction.

Similarly, the Court stated in *Swann* that the busing it required was needed to "accomplish the transfer of Negro students out of formerly segregated Negro schools and the transfer of white students to previously all-Negro schools." In fact, however, most of this busing could not be so explained. Most of the schools out of which blacks were being bused were never segregated black schools; they either had been segregated white schools that became heavily black because of the growth of the black population after segregation ended, or had been built in the first place after segregation ended and therefore had never been segregated at all. The justification offered by the Court for what it was doing was simply inapplicable to the facts of the case before it.

Thus, a requirement of racial exclusion was justified by the Court in no other way than by insisting that racial exclusion was prohibited

The Court also stated that the busing ordered by the District Court was justified because of, first, the District Court's

> express finding, approved by the Court of Appeals and not challenged here, that a dual school system had been maintained by the school authorities at least until 1969; [and] second, its finding, also approved by the Court of Appeals, that the school board had totally defaulted in its acknowledged duty to come forward with an acceptable plan of its own, notwithstanding the patient efforts of the District Judge who, on at least three occasions, urged the board to submit plans.

This important statement is incorrect in every respect. First, the board had not maintained a dual system until 1969, but had abolished the dual system by 1965 at the latest. The District Court had so held in 1965, and that holding was affirmed by the Court of Appeals sitting *en banc* in 1966. Second, the board had not "totally defaulted" in submitting a desegregation plan. It had submitted a plan that would have achieved a higher degree of racial balance than can be found in almost any school system in the country—that would, for example, have made every high school majority white. The Board's plan, at least with regard to the high schools and junior high schools, more than complied with every standard stated by the Court in *Swann* itself. Finally, the District Court had *not* found that the Board had "totally defaulted," and the Court of Appeals, of course, had not approved any such finding. In fact, the Court of Appeals majority was so complimentary of the Board that the dissenting Court of Appeals judges criticized the majority for "implying that the actions of this Board had been exemplary."

Most important, the Supreme Court in *Swann* affirmed a District Court busing order on the basis of supposed findings by the District Court that the District Court did not in fact make. The District Judge did not purport to require busing to eliminate the dual system (which, as the Court of Appeals held in 1966, had been eliminated by 1965). The District Judge, much more ingenuous than the Supreme Court, openly stated that in his view busing was required simply because "the rules of the game had changed," and under the new rules, as he understood them, racially balanced schools were constitutionally required to improve black academic performance. He believed, on the basis of testimony by education "experts," that a "dramatic improvement" in black academic performance could be "produced" by "transferring underprivileged black children from black schools into schools with 70 per cent or more white students." The Supreme Court, never mentioning black academic performance, simply ignored the District Court's actual basis of decision and pretended that the District Court had ordered busing to undo racial separation resulting from prior unconstitutional segregation.

Finally, the Supreme Court faced here a very serious problem in dealing with the 1964 Civil Rights Act. With that Act, Congress adopted *Brown*'s prohibition of racial discrimination by government as a matter of national legislative policy. A very important feature of the Act was that it authorized the Attorney General of the United States to bring desegregation litigation. The Act explicitly provided, however, that "desegregation" meant the assignment of students to schools "without regard to race," and did not mean assignment "to overcome racial imbalance." The Act also provided, redundantly, that it did not authorize the transportation of students from one school to another to achieve racial balance, and, finally, that it did not prohibit the assignment of students to schools on any basis other than race. The assignment and transportation of students to schools on the basis of race in order to achieve racial balance was, of course, exactly what the Supreme Court in fact required in *Swann*. While it purported to do so pursuant to the Constitution and not pursuant to the Act, the Act was clearly an embarrassment; the Court did not want to seem to be acting contrary to the congressional policy expressed in the Civil Rights Act. The Court therefore simply stated that the Act's definition of desegrega- and its strictures on seeking racial balance were applicable only to the so-called de facto segregation of the North and were inapplicable to the South, where racial separation in the schools had been explicitly required by law.

This "interpretation" of the Act is, to put it as charitably as possible, totally without basis in the Act or in its legislative

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

history. The Act's repeated explicit provisions that it could not be used to seek racial balance were written in at the insistence of Representatives from the South in order to protect the South. Far from being concerned with making the Act inapplicable to "de facto segregation" (racial separation or imbalance not required by law), Congress believed that a racial balance requirement would be unconstitutional because it would require racial discrimination by government in school assignment, and that, everyone thought, had been prohibited by *Brown*.

Senator Humphrey, the Senate floor manager of the bill that became the Civil Rights Act, stated:

> While the Constitution prohibits segregation, it does not require integration. The busing of children to achieve racial balance would be an act to effect the integration of schools. In fact, if the bill were to compel it, it would be a violation, because it would be handling the matter on the basis of race and we would be transporting children because of race.

A clearer example of judicial perversion of an act of Congress would be impossible to find. Not only were the Act's limitations made meaningless, but the Act became, in the hands of the administrative agencies (HEW's Office of Education and the Civil Rights Commission) and the courts, the essential tool for the imposition of the very racial balance requirement that Congress had sought to ensure could not be imposed.

The Court's opinion in *Keyes* is at least the equal of its opinion in *Swann* for defiance of logic and misrepresentation of matters of fact. If, as the Court continued to insist, the constitutional requirement was not integration but only desegregation—the ending or undoing of unconstitutional segregation—how, one might wonder, could the requirement be applied to Denver, which had never required segregation? Indeed, the Colorado Constitution had from the beginning explicitly prohibited school segregation; Colorado, and Denver in particular, with very small black populations until the 1950s, had always been leaders and models in civil rights matters. The almost unbelievable fact is that Denver was found to violate the Constitution and was required to bus schoolchildren for racial balance not because it had ever practiced segregation but because it had been exceptionally committed to increasing integration.

In the American system, a victory at the polls remains a victory only so long as it is not disapproved by the courts—a function performed in some other systems by the military

Despite *Brown*'s and the Colorado Constitution's prohibition of all racial discrimination, in the early 1950s the Denver school board voluntarily undertook the practice of racial discrimination to increase racial mixing in the schools. The board required that race be taken into account in school decisions, that schools be located and attendance boundary lines drawn so as to increase integration. No more schools were thereafter built in northeast Denver, an area of black residential concentration. In a final display of its commitment to integration, the board then decided to require busing, and not only the busing of blacks into white neighborhoods, which might have been accepted in Denver, but also the busing of whites into black neighborhoods. Predictably, this was too much for even the citizens of Denver, and they promptly elected a new school board, which rescinded the busing requirement before it could be put into effect. However, in the American system of government as it currently operates, a victory at the polls remains a victory only so long as it is not disapproved by the courts—a function performed in some other systems by the military. A suit was brought challenging the rescission, and a federal District Judge held it unconstitutional on the paradoxical ground that a measure to increase integration, although not constitutionally required, may not, once it has been voluntarily adopted, constitutionally be repealed. He ordered that the schools of northeast Denver be racially balanced as if the busing requirement had not been rescinded.

The Supreme Court in *Keyes* did not adopt the District Judge's theory that voluntary measures to increase integration may not be halted—indeed, in a later case it explicitly rejected that theory. As in *Swann*, the Court, instead, simply ignored the actual basis of the District Judge's decision and pretended that he had found that the Denver school board had racially discriminated to separate the races, despite the District Judge's explicit statement that he had *not* found racial discrimination apart from the rescission. The Court thereupon in effect instructed the District Judge that he had not gone far enough in ordering busing, that he should have ordered the elimination of majority black schools not only in northeast Denver but also in central Denver, the other area of black residential concentration. The District Judge could do this, the Court said, by finding that the majority black schools in central Denver were the result of the racial discrimination by the board that the District Judge had supposedly found in northeast Denver.

The logical and factual defects in the Supreme Court's opinion include that 1) the District Judge had *not* found racial discrimination by the school board in northeast Denver except on the basis of his rescission theory; 2) such discrimination, even if it had been found, could not possibly have been why the schools in central Denver were majority black; those schools had been majority black *prior* to the time that the schools in northeast Denver became majority black; 3) far from having racially discriminated to separate the races, the Denver school board had voluntarily undertaken to *increase* racial mixing, and found itself in constitutional difficulty only because of those efforts; and 4) the existence of majority black schools in central Denver was in any event obviously the result, not of racial discrimination by the board, but of residential patterns.

A more impressive display of misrepresentation, irrationality, and abuse of power would be difficult to find in the work of any other institution of government. If it should be found in any other institution, it would undoubtedly lead to widespread censure and demands for corrective action. The best evidence, perhaps, of the invulnerable position and enormous power the Supreme Court has now achieved in our system of government—of the existence, that is, of an imperial judiciary—is the fact that the Court apparently remains free from such censure and such demands. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LETTER FROM MEXICO CITY

Is Mexico's Watergate Fizzling Out?

JETTISON SMITH

FOR SEVERAL WEEKS, thousands of peculating Mexican bureaucrats feared their outlook was bleak indeed. On direct and unprecedented orders from President José López Portillo, half a dozen high officials, including a cabinet officer, had been hustled off to jail on charges of stealing public funds or, in one case, of extortion. A bold attack on government fraud seemed to be starting.

Corruption is an old and painful story in Mexico, but it reached unheard-of proportions during the six-year term of President Luis Echeverría, which ended November 30, 1976. An atypically bold federal legislator with access to government accounts has charged that fraud by public servants during just the first four years of Echeverría's reign exceeded $5 billion.

The grab-fest also flourished in the eight hundred-odd government-owned business and industrial enterprises and in their affiliated labor unions. Almost all the enterprises are, of course, prodigious money losers, in good part because of the practice of faking invoices showing equipment (obsolete, at that) as having been bought for three to ten times the real prices.

Free-wheeling knavery from 1971 through most of 1976 is blamed for the fourfold increase in Mexico's national debt, for inflation of about 30 per cent a year, for unemployment so desperate that one-tenth of Mexico's 62 million inhabitants have fled illegally to the United States, for extortionate income taxes, and for the devaluation of the Mexican peso by almost half.

Those problems, and the bitter resentments they have bred, prompted López Portillo to tell President Jimmy Carter, at their Washington meeting, that he might prove to be the last constitutional president of Mexico. Undoubtedly many Mexicans feel that any system stands a good chance of being fairer than the one they've got.

López Portillo's main task on taking office 19 months ago was to restore confidence in government. And that, as scores of editorials pointed out, could only be accomplished by a vigorous crackdown on the more notorious rascals in the previous government. But to the disappointment of many, the new president, who remains a close friend of his predecessor, took a number of Echeverría's left-leaning top men into his own administration. Still, he had come into office with solid public support, and one of his first moves was to stop the anti-business, Third World demagoguery emanating from the government, which had put a heavy brake on development. He had pleaded for time to clean up the mess, and the country willingly granted it to him. Admittedly, the clean-up seemed to be taking a long time en route.

The exciting news that Mexico was, for the second time this century, swiftly becoming a major petroleum producer, with prospective revenues in the billions, made a house-cleaning doubly urgent. Otherwise the vast wealth that is even now pouring out of the oil and gas fields in the Mexican states of Chiapas and Tabasco might line the bottomless pockets of rapacious officials and labor chiefs instead of going into crucial national development.

The first arrest, coming after the long lull, sent a seismic shock through the bureaucracy. The boys had just begun to relax when they learned that some of their pals had not only been jailed but—worse—forced to disgorge some of the loot. Who knew where that kind of thing could end? The fuse on the long-predicted Mexican Watergate—in which real money, and not open political secrets, was stolen—was burning at last.

The sums involved in the first cases ranged—like fancy olives—from large to colossal. The opening arrest was that of Alfredo Rios Camarena, former director of the botched $22-million government-run real estate project called Bahia de Banderas. Rios Camarena, charged with obtaining an illegal loan for several hundred thousand dollars, had fled to Miami when the cops started breathing down his neck. His unsuccessful fight to avoid extradition enlivened the front pages for a while. Once lodged in a Mexico City jail and surrounded by aides and sycophants, Rios Camarena insisted that not he but his superiors had the money. His threats to tell much more than he was asked to tell caused profound unease in bureaucratic circles.

Dominoes Falling

Next to fall was Félix Barra García, former Secretary of Agricultural Reform, who was charged with extorting $600,000 from a landowner. Barra is an extremist from far out in left field, and a fulminating demagogue noted for having conducted, in the name of social justice, hundreds of violent and illegal land seizures in the waning days of the Echeverría administration. That outrage was widely viewed as an attempt to foment enough social turmoil to permit his master to delay or prevent the inauguration of his chosen successor. Using the classic formula, Barra admitted that he took the money but denied any wrong-doing. He then telephoned his wife from jail. She soon appeared with a suitcase containing most of the money.

The biggest bombshell was the arrest of Eugenio Méndez Docurro, former Secretary of Communications, who, when seized, was subsecretary of Education in the López Portillo cabinet. Méndez Docurro and four subordinates or accomplices were charged with stealing 80 million pesos (about $3.5 million at current rates—it was worth nearly twice that at the time it vanished). The Attorney General showed incredulous reporters a stack of faked invoices, canceled checks, and other documents supplied by Méndez Docurro's successor. They reported that

Mr. Smith is a free-lance writer who concentrates on Latin American developments.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the evidence substantiated the charges up to and even beyond the hilt.

"The importance of the charges against Méndez Docurro is that the government accuses a member of the 'revolutionary family' of a crime which formerly would have been pardoned beforehand . . ." the weekly magazine *Impacto* said. "Will we stop here? Why such sternness against Méndez Docurro when in other cases, such as Las Truchas [a new $2-billion white-elephant iron and steel project], they speak of forgetting the loss and marching forward into the future?

"Confidence in government can hardly be restored if one cabinet officer is jailed while another who is known to have taken even more is rewarded with an ambassadorship."

Méndez Docurro formerly headed the National Polytechnic Institute, and turbulent students—or, more correctly, enrollees—threatened to storm the jail to effect his release. Félix Barra has a similar following in the National University. There was speculation the two were arrested, in preference to others equally eligible, to deter a rumored "student" uprising against the government like the one bloodily suppressed by the army in 1968.

Scouring the Bureaucracy

Some officials who were not arrested suffered a severe financial jolting. At least two in high posts abroad were quietly called into the Attorney General's office, shown evidence of their knavery, and persuaded to pay up. One former bureaucrat reportedly wrote out a check for 25 million pesos (about $1.1 million), then flew back to Europe. Another resumed his position as Mexico's representative to a United Nations body after yielding up 21 million of the pesos he had swiped.

Emboldened by signs that the government really meant it, citizens rushed to file corruption complaints—thirty thousand at latest count—against federal and state authorities, and especially against the cops and the *caciques*, or local bosses, who control them.

Newspapers surmised that the reform wave might even erode the great class of parasites on the government known as *aviadores*. Far from flying, the *aviadores* cling to payrolls everywhere. Some are influential members of the national legislature who are hired for prudential reasons, at high salaries, by managers of government business or banking institutions. Many are ghosts of people long dead. The majority, however, are lowly relatives of the powerful.

Hard news followed: 31,000 *aviadores* were suddenly purged from the rolls of a single government credit institution in Yucatán. One-third of the names cast out there were ghosts. The remainder were real people who knew no more about banks or loan applications than their Mayan ancestors knew about snowshoes. Somebody just put their names down and carted away the money.

Then, abruptly, to the distress of the overwhelming majority of Mexicans in and outside government, the gas began to leak out of the reform balloon. From day to day the reported amount of Méndez Docurro's loot shrank: from 80 million pesos to 25 million, then to 14 million, and on down to nine million. The Attorney General astonishingly sent a message to the jail identifying the ex-Secretary as a "victim of the lamentable corruption in the previous administration." The judge followed up by dropping two of the three charges against the prisoner, and officials began to hint that disgrace and loss of position was punishment enough for a man of Méndez Docurro's standing. The heat was off.

Other curious facts emerged meanwhile. Chief among them was that Méndez Docurro had an unvouchered expense account of 60 million pesos ($2.6 million). Presumably that was to last out his six-year term, but even so it seemed like a lot, especially in an administration so critical of salaries and profits in the dwindling—and lethally taxed—private sector.

With that disclosure came renewed awareness of the mystery surrounding the whole matter of official compensation. A Mexican citizen knows no more about López Portillo's salary than a Russian knows about Brezhnev's. He knows nothing about the salaries and expense accounts of lesser federal or state authorities, except that they are generally able to retire early and wealthy. Equal ignorance cloaks the array of perquisites the top bureaucrats enjoy, such as fees for acting as consultants to their colleagues, chauffeured limousines, club memberships, access to special state-owned stores, and extensive travel overseas. If any official has complied with the law requiring before-and-after net worth statements, the declarations are a state secret.

Upstairs, Downstairs

The Law of Responsibilities for Public Officials, which had been expected to bring embezzlers to book, turned out to be a farce. Having been drafted by legislators who included themselves in its provisions, it takes a benevolent attitude toward the failings of public servants in the upper echelons. Although a pilfering postman or larcenous clerk may be readily stuffed away for years in a noisome *carcel*—along with youths serving savage sentences for an ounce or two of marijuana—his superiors can win almost complete forgiveness for major financial crimes by handing back the money within ten days of the time they are caught. They could also receive a small fine (up to $440), and sometimes a brief jail sentence (up to six months). "All gums and no teeth," a harried taxpayer said.

Méndez Docurro wrote out a check for $400,000 and was released under 75,000 pesos ($3,300) bond after 15 days in the cooler. Almost anyone can write a check for $400,000, a critic remarked, but few of us would have enough money in the bank to meet it. For Méndez Docurro, though, it represented about 10 per cent of what he was originally accused of taking.

Another far-sighted provision of the law requires that any charges against an official be filed while he is still in office, or not later than four months after he steps down.

"How big an idiot would you have to be to blow the whistle on your boss?" a minor bureaucrat asked a reporter.

Public criticism of the apparent decline in official zeal for a clean-up had reached a furious peak when the government struck again. Fausto Cantu Peña—the young director of the Mexican Coffee Institute—and six associates were arrested on charges of fraud totaling slightly over $10 million. The Institute is a government buying and marketing monopoly.

(Continues on page 912)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Cutting the Apron Strings

From the Academy

RUSSELL KIRK

We Americans grow servile, as Tocqueville was persuaded we would. Increasingly we submit sheeplike to a fussily maternalistic central political apparatus, which deprives us (as Tocqueville also predicted) of the opportunity for ever developing to full manhood. One of the causes of this decay is our abandoning of liberal education. To escape from the clutch of latter-day maternalistic liberalism (for nowadays, as Santayana wrote, liberalism relaxes no bond except the marriage tie), we need to regain liberal learning.

For illustrating my first point, the maternalism, I turn to a manual of the Interstate Commerce Commission, recently put into my hands by a young lady who was departing from Cambridge, Massachusetts, to spend some years among simple villagers in the Philippines. This work, in 33 pages, is entitled *Summary of Information for Shippers of Household Goods* (Form BOp 103, Revised 1974). The authors of this directive (which all common carriers transporting household goods in interstate commerce are required to supply to their customers, who must sign a "Mandatory Receipt") clearly assume that the vast majority of America's citizenry are feeble-minded.

This publication is replete with admonitions governing the conduct not of the trucker but of the "consumer," with more than one suggestion of the iron hand beneath the velvet federal glove. My favorite passage (pp. 28-29) concerns the consumer's installation in his new abode, and runs thus:

"If you are unpacking, see that boxes are pushed in corners of the appropriate rooms—keep them out of doorways.

"Get babies' and toddlers' beds made up first. Older children can 'settle in' themselves. (But check on their work, and be lavish with praise for their efforts—time enough later on to suggest rearrangements.)

"Get a workable place to cook in the kitchen, and a space to eat. Save for next week all the fine details of arranging each shelf.

"And smile! Your new job, new home, and new community are waiting to meet you."

Of this manual, the donor, a Harvard PhD, comments to me: "Here surely is why SAT scores have declined—Washington even has to tell me how to defrost my refrigerator before unplugging it finally for moving! or to pack a lunch so I won't starve in driving from my old home to my new one! or to sweep out the new house before I move things in! The condescension and paternalism reach a climax when the ICC even tells me to *smile* as I drive in my new driveway because many eager neighbors await me! Now we know why Washington bureaucrats are so busy—not only churning out these sweet warnings (for which I had to sign a document saying that Allied Van Lines had given me a copy), but then, as though they aren't busy enough, dig the forms and questionnaires at the back! I'm surprised that I don't have to sign a report that I remembered to take along a flashlight and toilet paper for the trip to my new home."

Aye, we've become a servile folk, abject before the Holy Liberal Inquisition.

To illustrate my second point, the escape from Holy Liberalism through liberal learning, I turn to a small paperback book published by Sherwood Sugden & Co. (1117 Eighth Street, La Salle, Ill.; $1.95), Christopher Derrick's *Escape from Skepticism: Liberal Education as if Truth Mattered*. Mr. Derrick, an Englishman, wrote this while in residence at Thomas Aquinas College, Calabasas, California; indeed his book is *about* what's being done at that recently founded little college, though he doesn't say so specifically. Though this publication has been reviewed almost nowhere, thousands of copies have been sold already—which suggests that there exists an underground eagerness for learning and even for truth.

A principal point in this slim book is that liberal education is education for freedom; and that there can be no true freedom which is not the service of God. People who have benefited from the education designed for free human beings do not require to be told to make the toddlers' beds first, clear a space in the new kitchen, and smile—all because Big Brother (nay, Sister) tells you to. Why, the liberally educated resent such directives, and do something about them. But the liberally educated seem a forlorn remnant in this land nowadays.

Mr. Derrick is a bold man who writes charmingly. "I conclude that liberal education is bound to be insufficient and directionless and otherwise in big trouble except where it can presuppose a religion, or at least a philosophy of life, which is plausible and generally agreed," he tells us. He opposes to truly liberal education an infatuation with the Gross National Product: "I call it the servile mentality."

What is popularly called "liberal education" in this country is not the genuine article. "Present-day societies—Western and Communist too—are able to train any number of first-class doctors and engineers and so forth: so far as education is concerned with the imparting of those exacting applied skills which I have unkindly called 'servile,' it is in good shape. But liberal education—in *any* sense of that expression—is in very bad shape. It has been observed in many countries that it is producing a generation of near-illiterates, thus failing in the most elementary task of all; and the present condition of the fine arts—notably, the fact that pop-and-rock music is the overwhelmingly dominant art-form of this age, with erotic self-pity as its dominant theme—suggests to me that in its further and cultural role, liberal education is fighting a losing battle, if indeed it is fighting at all."

What is lacking? Why, Truth. And Truth cannot be known without a foundation of dogmata—that is, of first principles derived from revelation and right reason. Truth of that nature is what Thomas Aquinas College succeeds in imparting; and so do a very few other colleges in this country.

If Mr. Derrick and what survives of genuine liberal learning gain some ground, we may be meek as Moses before God, but strong as Moses before Pharaoh. Why, we might even develop fortitude enough to give a flap to the Interstate Commerce Commission. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

De-Churching Christians

Out of This World

MALACHI B. MARTIN

AT PRESENT, throughout every Christian denomination in the U.S.A., there is a steadily spreading condition that may be the clearest symptom of the malady undoing institutional Christianity. It is the de-churching of Christians. In their religious belief, moral practice, public worship, personal piety, and—most significantly—in the theological language by which the very meaning of Christianity is carried to new centuries and new peoples, Christians are drawing away from their religious traditions and from any real connection with, or effective guidance by, the churchly institutions that originally nourished them.

More and more Christians no longer know where they come from religiously. They have no "roots" in a historical church—nor do they give it any thought. They are losing one validating characteristic of genuine Christianity: an unbroken historical connection, from generation to generation, with the apostles of Jesus and, therefore, with the Jesus of history.

Playing Caesar

For almost twenty years now, the churches have been dedicating themselves predominantly, in some cases exclusively, to issues of sociology and politics. They have been led into deeper and deeper commitment to public action of a kind indistinguishable from the local political club. This commitment has changed the way they pray and worship and preach the Gospel revelation. The workdays of their members are filled with considerations of ethnic identity, housing rights, land distribution, unionization, environmental pollution, disarmament, women's rights, sexual fulfillment. The focal points of parish and diocesan life are no longer communal devotions, religious celebrations, or the liturgical year, but the visible efforts and achievements of civic life.

Consequently, in the mainstream churches, there has been a notable decrease in the emphasis laid on innerliness, on the explanation of spiritual values, on the intricacies of the supernatural, on Gospel meanings, on the significance of dogmas, on the function of Christian holy days in personal life, indeed on theology itself as a science about God.

This general line of activism in the churches has produced reactions. Large numbers of Christians attend their church services irregularly, impassively, without any sense of belonging. Some few have fled to Traditionalist groupings. A discouraging number have turned away in disgust from what they call a sociological Christianity and a "de-divinized" church, finding it all too cold, unspiritual, uninspiring. Others still have simply stopped all religious practice and affiliation, transferring their allegiance to some acceptable form of general humanistic belief in which Jesus together with the Buddha, Gandhi, Gurdjieff, even some living "masters" such as Sri Chinmoy, and all the other "great spirits of man" are cultivated as romantic surrogates for lost theological ideals and as "brother guides" on the road of existence.

Others still have been caught in new movements that promise to inspire them, to give their heart a reason which their reason can no longer discover in current church behavior. A very small, exclusive, and secretive percentage take seriously to the occult, finding in the various Satanic families some inverted satisfaction for their deep frustration.

A greater number get a new life and light in various forms of Pentecostalism, the most notable of these being the charismatic and born-again movements. Indeed, the new recruits will tell you and will palpably demonstrate that their entire lives have been changed. They are better people: more giving to their families and friends, more open to their fellowmen, happy as they never were before, more enthusiastic for prayer and good works. "Our days are filled with light and meaning" is their assertion.

But along this way, fundamental changes have been quietly made, changes that have altered traditional Christian meanings and values. Overnight, as it were, sacramental baptism has been given second place in importance to the born-again experience, whereas, in truth, a Christian need never have that experience but he must receive baptism. The centrality of Jesus' sacrifice on Calvary has been reduced to the remembered feat of a hero, according as the historical Jesus has become "Jesus of the Spirit." The role of priest and minister is now as leader or president of the assembly, no longer as representative of Christ.

De-Churching the Churches

The gifts of the Holy Spirit, originally the theological virtues listed by St. Paul, are now practical things like electronic skill, a fine voice, basketball prowess, even successful orgasms. And the new concept of the "anonymous Christian" (i.e., that a non-Christian or non-believing Christian who lives according to his lights is as assured of salvation as anyone) has made the old concept of the professing Christian appear an exaggeration at best; at worst, inoperative. At that point, the value of witness disappears together with the need of any historical Christian tradition.

In fact, someone soon will have to compose a glossary of religious and theological terms, contrasting the new meanings with the old, because bit by bit more and more people know only those new meanings and take them to be the old ones and the only ones. It will not be an easy task. For, doubtless, the present trend of de-churching will peak. But no one knows what will be left intact or how long Christians of a later generation will have to struggle in order to regain that essential link with the Jesus of history, without whom Christianity becomes one huge, dead joke. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Censorship, Stereotypes, and Other Fine Things

M. J. SOBRAN JR.

ART IN OUR DAY has acquired a special charisma, and many consider censorship a sacrilege against its dignity. I think I love and respect the arts as much as the next man, and I have always thought myself a native of this country, a rather typical native. Yet when I hear the tones and accents of veneration with which many of my countrymen speak of Art, and the unqualified and unexplicated contempt with which they refer to Censorship, I feel like a foreigner, an uninitiated tourist, who has failed to grasp the inner meaning of terms whose obvious senses cannot account for the values and emotions attached to them.

Television, for instance, is getting racier, which leads many to say it is getting freer. The fare of *Three's Company* and Johnny Carson's monologues is the sort of thing that used to get movies C (Condemned) ratings from the Legion of Decency. Such private ratings belong to an ill-understood realm between pure libertarianism and state suppression: the realm of social inhibition, etiquette, things that Just Aren't Done.

The great majority of inhibitions are implicit, almost unconscious, and it is even a sign of their precariousness when they have to be stated. A few years ago it would have been unthinkable—never mind illegal—for a girl to walk down the street with her breasts visible: as it were the moral equivalent of flashing. It was not that young women had to be reminded, or had to decide, to dress decently every morning. Nor would any American except an anthropologist have thought to mention covering the female bosom as one of our customs. It was just second nature, one taken-for-granted aspect of a larger system of decorum, based on deep-rooted notions of what human nature is, with derivative habits of propriety that were assumed by millions who had never had them spelled out. Now law, armed with force, is necessary, but in general it is really the backstop of custom; when it has to be too widely enforced it isn't much good. Most people break some laws, but still it is true that most people don't even think of breaking most laws. An effective censorship has to have the support of consensus in morals and manners.

But, as I say, censorship is a thing of bad repute among us. Taboos are taboo: our very selection of the non-Western word sprinkles the vinegar of irony on any open attempt to control expression. Yet there is obviously a good case for controlling it, as long as we admit that people's sensibilities matter. The idea that there should be no taboos or censorship is part of liberal ideology and rhetoric; the reason being that the forces of liberalism arose in opposition to traditions that had long been defended by censorship and other sanctions. Hence the liberal tradition has always associated itself with free expression *à outrance.*

BUT THIS PRINCIPLE is unrealistic, and its universalism is perforce specious. Ideals, to be established, have to be supported by more than mere arguments, more even than habit. They require sanctions, including, in one form or another, censorship. Now that liberalism is in many quarters the established faith, it employs these sanctions too. But since it disguises from itself its recourse to controls it affects to scorn, it thinks "thought control" is what the Right does to the Left. When the Left (defined for present purposes as anything liberals regard as a progressive force) does it to the Right, it is something else. Conservatives have a rich literature, and a richer gossip, of tales of liberal discrimination against votaries of other points of view—in academia, the press, the media, and private society.

When I taught English composition in a Midwestern university, for instance, I was once accosted by an older professor with whom I had never discussed politics: he snapped that he understood I was a follower of William Buckley and the John Birch Society ("You left out H. L. Hunt," I replied), and what the hell did I think I was doing in a "liberal university"? That was my only unpleasant experience in a wonderfully good-natured English department, and it hardly qualifies me for martyrdom; but the sense of proprietorship with which he spoke is eloquent as

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to the real and perceived pecking order of ideas. (So, in a way, was the gentler kidding I often got.) Obviously a great many things go into academic hiring. Let's just say that for a prospective teacher liberalism doesn't hurt, and conservatism doesn't help, even when these things are not decisive, or even inquired about. Academicians are seldom inquisitors. Still, they tend to see liberalism as the common sense of the educated, and almost as an aspect of civilized behavior. When conservatism isn't loathed it is usually somewhat on the defensive, and the conservative has to prove himself not to be a fascist, in somewhat the way, in certain right-wing strongholds, a liberal has to prove he has no sympathy with Communism. In that respect liberalism is an orthodoxy.

Up to a point people have a right to their prejudices—which is to say that they may, and should, see to it that their convictions get appropriately institutionalized. Liberals do this, naturally, as much as the rest of us, only better; better because they are under the necessity of deceiving not only their enemies, but themselves. And the most interesting (because most fundamental) part of what we call liberal "bias" is not what they do to us, but what they do to their own.

The Educational Testing Service, just outside Princeton (and not connected with the University), employs a black whose principal task is to bowdlerize its test questions of any material offensive to blacks. I am sure that it has never occurred to ETS officials to call this person a "censor." Rationally, of course, the term fits. But historically, "censorship" has been associated with the suppression of "progressive" ideas and modes of expression. So, for accidental and arbitrary reasons, this office has a different title.

Now ETS—like many such organizations—is not dedicated to promulgating liberalism. It merely pays it an incidental (though sincere) deference. Conservatives must learn to distinguish between the militant liberal—the priesthood—and the larger body of acquiescent liberals—the laity—who have absorbed the creed osmotically, with respect but without any strong desire to propagate it. Liberalism is in a way the "faith of their fathers," and it takes them a specially conscious (often painful) effort of adjustment not to accept it, but to cast it off.

In the arts—really a subdivision of communications—acquiescent liberalism knows it is safer, socially and commercially, to stay on the good side of liberal criticism than to cross it. That is why television, dutifully conventional and dedicated to ratings, feels free to show people as shallow, libidinous creatures, but steers clear of religion (except, as with *All in the Family*, to make "daring" attacks on religious bigotry). Religion is still a real and vital part of American life, but it is amazingly "underrepresented" (to use the liberal term) in mass communications. This is not a matter of conspiracy or even conscious avoidance, but of unconscious habit, much like modes of dress: religion simply isn't in the intellectual wardrobe of media people. Whatever their private beliefs, they know that reference to religious faith would be, if not inflammatory, at least a distracting departure from the customs of the electronic "community." In the Fifties religion-in-general was still a Good Thing. Now it is a darker matter, too problematic to be a natural part of the scene, too jarring to be assumed in the background.

The habits of liberalism create other problems when natives of the liberal culture confront revered parts of the larger Western tradition. Scholars know how anachronistically moderns tend to read old texts; I can hardly bear to see Shakespeare produced, not (I hope) because I am a pedant or a purist, but simply because theater people—liberals all—have no initial sense of the gap between 1600 and 1978; I bridle not only because they misunderstand the plays, but because they seldom suspect that the plays carry insistent meanings that refuse easy contemporary adaptation.

A modern-dress production may be as wildly foreign to Shakespeare as a modern-language production would be. But worst of all is a modern-ideas production. Rather than refuse to perform the uncongenial play, the children of liberalism turn it into something it is not. Julius Caesar becomes Mussolini; *King Lear*, absurdist despair; *The Tempest*, an allegory of colonialism. The director seems to approach the play with the maxim: If its heart offend thee, pluck it out. Don't censor; just "interpret." Filled with the spirit, the performer expresses himself, and his age. He is free. He doesn't stop to think that by ceasing to be the play's humble servitor he impinges on the freedom of the

RANDOM NOTES

■ More July Titles: Thomas R. Burns, a former naval officer, has written a book called *The Secret War for the Ocean Depths* (Rawson Associates, $12.95), which concerns the rivalry between the U.S. and the USSR in the subaqueous arms race: submarine warfare. . . . Henry Hazlitt's new book is *The Inflation Crisis, and How to Resolve It* (Arlington, $8.95). Here he argues that inflation is not merely a rise in prices but "undue expansion or increase of the currency of a country," and denounces the practice of printing insufficiently backed money. His solution is to permit private citizens and corporations to coin their own gold. . . . The late Frederick Merk, the Yale historian, who was a colleague of Frederick Jackson Turner, revised a series of lectures, now reprinted in *History of the Westward Movement* (Knopf, $20). He considers agriculture, riparian rights, the growth of industry, Indian policy, and indeed every other subject pertaining to the settlement of the American West over a period of some three hundred years. . . . *Religious Reasons: The Rational and Moral Basis of Religious Belief* (Oxford, $14.95), by Ronald M. Green, refutes the necessary separation of reason and religion. . . . Stanley Wells's *Shakespeare: An Illustrated Dictionary* (Oxford, $9.95) contains alphabetically arranged information concerning Shakespeare's life, his plays, the thespians who performed them, and many other matters.

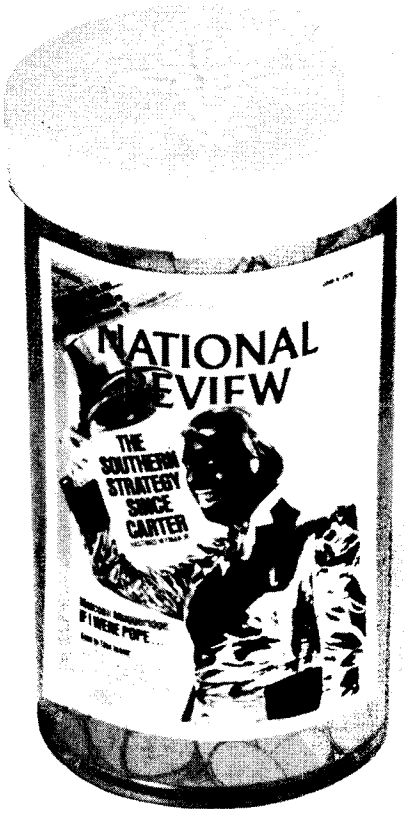
■ Some August Titles: James MacGregor Burns's *Leadership* (Harper, $15) begins with the notion that "A leader and a tyrant are polar opposites," and goes on from there. (Actually, the applications of these terms are more interesting than the distinction between them, which is obvious enough.) . . . Eugene McCarthy is the author of *America Revisited: 150 Years after Tocqueville* (Doubleday, $7.95), a book which compares the state of America today to that of the country through which Tocqueville traveled in the Age of Jackson. McCarthy says Tocqueville foresaw the fate of the Indians, but failed to anticipate the rise of the military and the corporation. By the time President Eisenhower corrected this oversight in 1959, it was, of course, too late for the United States.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NRx

Here's the right prescription for you

(CAUTION:
MUST BE TAKEN REGULARLY FOR BEST RESULTS)



National Review is good for what ails you. It's a sure cure for the blahs (brought on by a steady diet of homogenized news reporting), guaranteed to put new life into your conversations. It's also rich in content and builds strong resistance to media bias. Further, you'll find NR's incisive, knowledgeable reporting will do wonders for your political vision while increasing your appetite for good writing. And *National Review's* style, wit and refreshingly different point of view are sure to quicken your pulse, stimulate your grey matter, and gladden your heart. All in all, a welcome tonic.

National Review is not hard to get either. You can prescribe it for yourself.* Simply fill out and return the handy, postpaid card (opposite this page) and we'll rush NR to you as though it were an emergency. We make house calls too so you'll get it delivered right to your door hot off the press. Do it today. At this introductory price of $7.50 for 10 big issues (covering 20 weeks) it's one of the most inexpensive prescriptions you'll have filled this year.

* Or, use this offer to introduce someone to *National Review* (space provided on reply card). It's good medicine for anyone at all, especially for those students and other potential conservatives that you care about.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

playwright. He becomes the reckless executor of another's will.

This whole style amounts to a claim of irresponsibility for the artist. One of the sonnets complains of "art made tongue-tied by authority"; now we find authority made tongue-tied by art. Joseph Papp is liberated not only from state control, but even from any duty to Shakespeare, who is virtually suppressed by simple ignorance of what he was. The artist becomes the flamen of self-expression and pure contemporaneity, beholden to no older community of art. Of course I refer to the dramatic arts particularly; no orchestra is dedicated to the proposition that its musicians may disregard the score. But of course no man becomes a classical clarinet player if he finds Vivaldi and Haydn uncongenial. The dramatic arts, however, deal with words, and the words of the past can be thornily alien to the present. Rather than attack them frontally, modern production has defanged them with a strategy of reverent misprision. In this way the theater censors its own.

A few years ago ABC gave us the British National Theatre's production of *The Merchant of Venice*, with Milord Olivier as Shylock. This became the occasion for John O'Connor, the *New York Times*' shrewd TV critic, to ask whether the play should even be presented. You have to understand that O'Connor was not raising an idle or academic question: in liberal, permissive New York, where you can buy *Screw* and its sister publications at most sidewalk newsstands, you won't find *The Merchant of Venice* on the stage, though Shakespeare is bustlingly popular off Broadway. This is, by the way, an object lesson in New York liberalism: things inherently offensive are allowed, but things that offend only a particular bloc are taboo. This is certainly at odds with the professions of liberalism, but yet there is reason in it: the whole can absorb insult better than the parts. Nobody regards the misanthrope as *his* enemy.

AFTER WRESTLING with the issues for a few columns, O'Connor came down for *Merchant* and against censorship. Two sacred cows had locked horns, and he had awarded Art a split decision. It was really a foregone conclusion. The soul-searching about Shakespeare's putative antisemitism was a necessary ritual, no more. But it was in the tradition of generations of apology for the "barbarism" of our Bard, whose plays so often seem to glorify atavisms like war, patriotism, and revenge, with a silly delight in smutty puns and estranged twins, to boot. Shakespeare's abundance includes plenty to violate the decorum of every age.

And whose fault is that? Shylock *is* offensive. He is meant to be; after all, he is a villain, a man of murderous spite. And the poet links his villainy to his Judaism, setting Jewish legalism against Christian mercy. I don't sneer at those who take offense, but I do smile at an age that can boycott him and still suppose itself all-tolerant—more tolerant, that is, than anyone ought to be. And surely Shakespeare's jaw would drop at the idea that *Merchant* should be performed for an audience of Jews. Only our reverence for Art prevents us from seeing, and saying plainly, that a great work of art can be socially and morally faulty.

How to balance the claims of the aesthetic and the ethical? Always a hard question. But surely we err to hold a simple prejudice in favor of either; and we have no right to demand that conventional morality curtsey to art in every instance. I love *Huckleberry Finn* too, but I can't platitudinize away all those allegedly overwrought Negro groups that object to its portraits of "niggers," and don't want it in the public schools. Of course, Jim is at bottom a noble character, but at a more earthy and immediate level he is a butt. Both Shakespeare and Mark Twain have the gift to turn the stereotype inside out, revealing our unsuspected human affinities with the figures we had come prepared to mock or curse. Perhaps the proper response is for us to see Jim or even Shylock in a new light, though I distrust as sentimental the attempt to redeem Shakespeare for liberalism by making Shylock and Caliban victims. That does not mean we can dismiss the anxieties of people who have reason for concern about the undiscerning part of the audience, any more than the warmest admirer of Orson Welles should disregard or laugh off the panic caused by *War of the Worlds*.

MORE TO THE POINT, the creators of Shylock and Jim, for all their subtlety in portraiture, presuppose the legitimacy of stereotype. They accept, that is, the general perspective of the Elizabethan Christian and the post-bellum white man; and though they enrich it, they don't despise it. We do them wrong to make them crypto-liberals. We also wrong Jews and Negroes to expect them to blithely adopt the perspectives of their contemners.

A stereotype is a conveniently simple image, a recognizable outline. In the dramatic arts it is a character who doesn't have to be explained or elaborately introduced to the audience. The dumb blonde, the wise doctor, the irascible cop: these allow a story to get moving, with a minimum of exposition. Their individuality is of no interest or relevance. They quickly establish audience expectations, a simple function that unique and arresting characters would impede. They serve as background for the real interest of the plot.

In drama as in life, stereotype has to do with prejudice. It represents a preliminary and incomplete, but still valid and necessary, stage in the order of cognition, an early level of abstraction. Since our knowledge is always incomplete and in the process of formation, and our attention is always limited, the fringes of our awareness—the background of our direct attention—must always consist largely of simple and indistinct notions. Johnny and Susie and Billy are unique and precious to their parents, but as they play along the street a man driving by will see them only as an undistinguished group of "kids." He wouldn't doubt that each child has his own traits; but for him "kids" is simply the relevant level of abstraction. The stereotype suffices for this purpose. It allows him to place them instantly in the functional cosmos of the moment.

Of course a stereotype may err, but so may a refined theory. And the economy of awareness and attention demands that we rely on a general sense of shape when we lack time for details. Since we need rules of thumb, it is confusion to talk as if prejudice and stereotype were simply wrong. They are essential to the mind's operation. There is a perspective from which Orientals "all look alike" to Occidentals. This need not be taken to mean that they are

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

all identical, but rather, that to the remote outsider the similarities are more evident than the distinctions. The outsider slips into arrogance only if he assumes that his viewpoint is definitive and all-inclusive, that there is nothing more there than he can see. Prejudice may be reasonable, even when wrong, as long as it knows itself to be tentative; when it refuses any revision, rejects progress toward a shaded exactness, it becomes bigotry.

The stereotype is not merely a matter of individual perception. It also represents social convention: an "established" perception. In a sense, nouns are stereotypes, fixed approximations of varied things. Common nouns, that is. The demand that stereotypes be abolished is a demand that all nouns be proper nouns. A stock character on stage or screen is one whom every member of the audience recognizes at once—and just as important, whom each member is conscious of as equally familiar to every *other* member. The spectator does not say, "I know this character." He says, "*We* know this character."

The commonest reference of stereotype is to races and other minorities and quasi-minorities. As is (alas!) too often the case, our liberal friends have sown confusion in this area. They talk as if their objection to stereotypes were epistemological: as if a generalized perception of a race or sex were inherently unjust to each member thereof. But this is fallacious. From a certain remove, it is virtually tautological to say that a group is characterized by certain traits that distinguish it from other groups. Such traits may be faults or virtues; more to the point, many of them are simply cultural habits which, from the perspectives of other groups, may be variously evaluated. Is group X "loud" or "spontaneous"? "stingy" or "thrifty"? "elegant" or "effete"? "lazy" or "easy-going"?

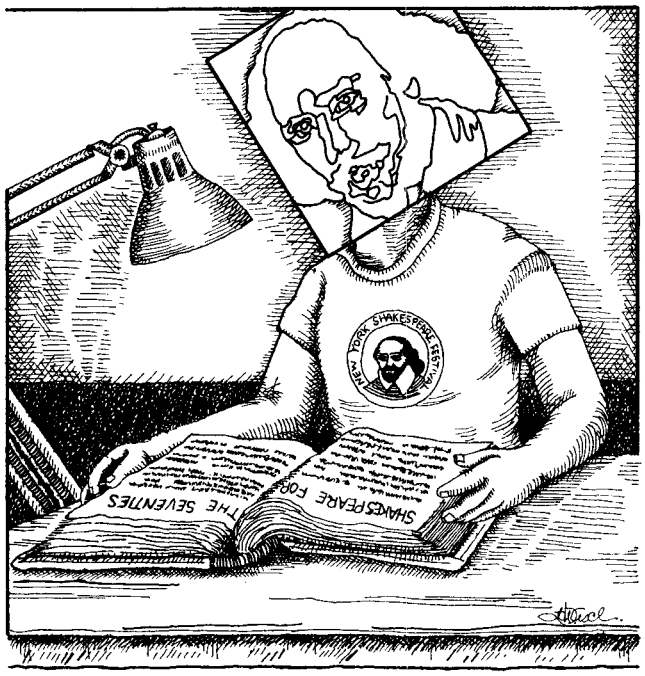
And naturally our choice of adjectives reflects our own traits. We are as much entitled to our traits as they to theirs. Though it is best to be able to see how any social habit may be either good or bad, it is saner to laugh than to sustain a desiccated objectivity—always provided one admits the right of others to laugh back at us. We laugh at individuals; we also laugh at groups. We may even laugh at ourselves. Nor is it always clear, when we make sport of a type, whether we are laughing at "him," "them," or "us."

Both high and popular art are fashioned from social perceptions. Stereotypes, like platitudes and axioms, are the *topoi* or starting-points from which artists make mere entertainments; but they are also the major premises from which they advance to novel insights, just as philosophers lead us from areas of consensus to deeper, more controversial formulations of truth. All communication involves rhetoric of some kind, and, as Aristotle tells us, rhetoric is based on enthymeme. Persuasion, logical or aesthetic, is not a matter of fiat or ipse dixit, but of showing us what is latent in what we already know. Where there is no foundation of shared certainty, there can be no further conclusion. Even our prejudices can't be improved on unless they can be shown to be incompatible with other, prior prejudices.

The confused attack on stereotypes has a core of truth: until the Sixties, the Negro was a background figure in American consciousness. This, more than aggressive racism, was the essence of our racial problem, and the major advance in our race relations was our corporate decision that the Negro should no longer be an "invisible man." He came to the foreground, and moved up on what philosopher Joseph Tussman calls "the agenda of attention." But to abolish stereotypes entirely would mean putting everything in the foreground: a mental landscape consisting only of particulars, with no generality. This makes no sense—especially since questions of race involve a level of abstraction between the individual and the universal. Even to speak of "the Negro" is to acknowledge that blacks do indeed "look alike" in various ways.

When liberals ask us to set aside our stereotypes, however, they are usually pleading for idealized stereotypes—"positive images"—rather than for more refined perceptions. The phrase half admits that there are collective traits after all, though it also represents the liberals' failure to look at the concrete features of the very problem they seek to address. And their benign stereotypes fail to persuade us, because the common stereotype has at least a cultural and empirical basis, while the new one they would replace it with is fashioned from sheer hypothesis and hope: it represents the black, woman, etc., they would like to see, not one we can readily recognize and empathize with.

Oddly enough, the older stereotypes are often accepted by their putative victims. Reruns of *Amos 'n' Andy* remained enormously popular among Negroes long after liberal pressure had run the show off prime time. *All in the Family* created a safe stereotype—safe from liberal indignation—of the white bigot, but Archie Bunker belongs to the universe of Kingfish Stevens, farcically unequal to the world's obviousness: except that what is posited as obvious in his world is the truth of liberal ideology, Archie's manifold bigotry being the sole obstacle to social harmony.



But like Vice in the old morality plays, Archie is a more engaging character than the spokespersons for Virtue that surround him. He is at least *real*, and we like him as we laugh at him,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

though of course we understand that he is perpetually doomed to comeuppance by the decorum of public morality. We like him all the better, in spite of his faults, for lacking the civics-class polish of his children.

After a decade of "positive images," Redd Foxx touched a similar nerve in viewers by being, in *Sanford and Son*, shamelessly, indecorously "colored," shiftless, irascible, with a redeeming Falstaffian resourcefulness, substituting Ripple for sack. He too was deplored by the professional deplorers, who perhaps were only doing their duty; but he garnered a huge and affectionate audience. Affection, as C. S. Lewis reminds us, is the love of things for being merely familiar, like the family; it is an accidental kind of love, treasuring others just for the way they happen to be, not for the way we would wish them; it wants them to stay as they are, enjoys the repetitiveness of their quirks. Dickens is to affection what Dante is to a loftier love, and television is a rather good medium for affection, since it has both incentive and opportunity to give us characters we can like in this way. In that healthy and homely sense, television is conservative.

But it is subject to liberal pressure in many ways. Last year the U.S. Civil Rights Commission denounced TV stereotypes: Edith dutifully fetching Archie his beer, Mary Tyler Moore timidly calling Lou Grant "Mr. Grant," a surplus of black criminals on *Hawaii Five-O*. Liberal editorialists found the Commission's call for federal censorship a bit much, but the jawboning may have had its effect. I suspect, too, that liberals would be more hospitable to censorship if people in the arts, the academy, and the media weren't themselves mostly liberals. Conservatives know from experience how liberal tolerance has meant, in practice, a special hospitality to the Left. Systematic exclusion of the Right from many parts of Academia has made open suppression needless. Most liberals, however, really are tolerant, and in the last few years they have made conscientious efforts, rather against the grain of their preferences, to accommodate conservative opinion—a kind of affirmative action for the Right. Many historical injustices have been corrected, as they say, but the system as a whole naturally continues to favor liberalism.

Why not, really? It is not as if liberalism didn't have deep roots in our culture. The liberal habit of mind comes to us from the Anglo-American tradition of dissenting Protestantism. The most effective way to fight it is not to refute its tenets (that has been done over and over again), but to keep pointing out that it is merely one among many systems of ideas, one to which educated Americans are culturally predisposed in ways that cause them to misread and distort reality. Liberalism, in short, is a prejudice; sometimes a form of bigotry. It has its own stereotypes, from the noble savage to the criminal who is really a victim of social injustice, together with a long line of proto-liberal martyrs of dissent—beginning, anachronistically, with Socrates, who was more like Solzhenitsyn than like Oliver Wendell Holmes.

The mention of anachronism brings me back to Shylock. As Olivier played him, he was a mildly cranky Victorian gentleman, who, after making his final defeated exit, let out an offstage howl of anguish. We no longer have Cibbers and Tates and Garricks rewriting Shakespeare in a frank attempt to reconcile him with contemporary taste. We keep the text—part of it, anyway—and supplement it with stage business that bears no relation to it. Olivier, chief of sinners, has made Hamlet a Freudian study and Coriolanus (dangling by his feet) a fascist. Jan Kott, picking out lines of nihilism, patches together "Shakespeare, our contemporary" —an existentialist, you see. Existentialism is now a bit passé, come to think of it, so *that* Shakespeare is no longer quite *our* contemporary.

But then he never was. The honest "improvers" at least had the sense and candor to admit this. Better to see him as a barbarian, sharing (as he did) the prejudices of his time, than to distort him through the prejudices of ours. It is obtuse and arrogant to assume that every great artist of the past must have been an embryo of—ahem—us. That artist, ahead of his time, suffering through misunderstanding, pining for his unborn "contemporaries," is himself a stereotype—flattering to us, no doubt, but blurring lineaments we ought to be able to see clearly. Let Shakespeare have his own stereotypes, and let us look to ours. It may only be our peculiar kind of ethnocentrism—the liberal kind —that causes us to warp *The Merchant of Venice*, when it might make more sense to ban it from the stage. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SWELL LETTERS

New York Jew
By Alfred Kazin
Knopf, 295 pp., $10.95

ON VAPID GROUNDS

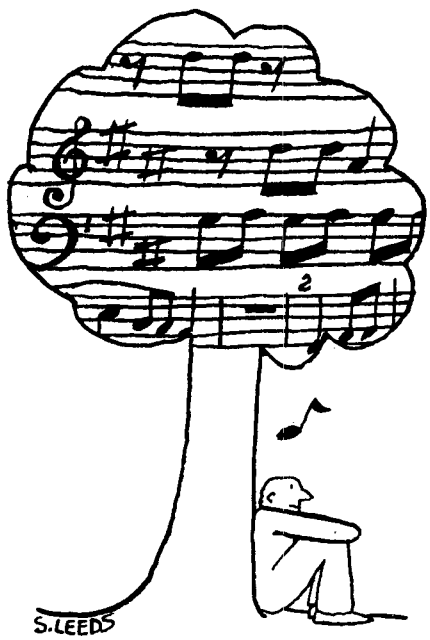
MITCHELL S. ROSS

New York Jew records the progress toward senescence of a literary critic whose best work was done in his youth. This curious autobiographical narrative starts with the week in 1942 that Alfred Kazin 1) published his first book, *On Native Grounds*, 2) assumed the literary editor's post at *The New Republic*, and 3) first moved onto Manhattan Island. He was 27 years old at the time. *On Native Grounds* was a lyrical narrative concerning American prose literature from the 1890s until the start of World War II; the young Kazin succeeded in applying an impressionistic if somewhat lumpy style to a vast assortment of materials, giving comparable space to Thorstein Veblen, Edmund Wilson, Charles Beard, Ernest Hemingway, William Faulkner, and a pack of others. His brooding little essay on Dreiser was good enough to move at least one 16-year-old reader to high admiration thirty years later.

Since that time, however, the lumps have moved front and center in Kazin's writing; the book preceding this one, called *Bright Book of Life: American Novelists and Storytellers from Hemingway to Mailer*, was a model of garbled prose and eccentric distinctions. The critic appeared to have grown more restless with age.

Now, in *New York Jew*, the third in an autobiographical series which includes *A Walker in the City* and *Starting Out in the Thirties*, the same unsteady hand is at work, pushing the pencil onward until the sentences swell with meaningless self-importance: "Natasha and I love each other, will go on loving for years after our marriage has collapsed. We were the last Puritans." Consider this horror: "The shimmering Sunday-morning partyness of Southern California was like cold white wine in the face of the hot sun." Or this specimen of the mature Kazin style: "In rich, rich Pasadena rotating sprinklers untiringly pissed on a New Yorker peculiar enough to *walk*." If worse than average, this sentence is still representative: Kazin is fond of italicizing plain words for sudden emphasis, but in so doing he reflects a lack of verbal ingenuity and an insensitivity to the rhythm of his phrases; but "sprinklers untiringly pissed"?—a reminder, I fear, that Kazin like so many others has been swept up in what he calls "the age of Mailer."

That famous impostor is cheered on here by Kazin, who has described him in his usual manner: "He was so insatiably *mental* about everything that he became his ideas, his heroes." Many other notable figures are sketched, but the treatment is rarely deft and is sometimes hard to follow. Hannah Arendt, for example, is seen as someone whose "presence on the West Side was like Lear's on the heath" only one paragraph after she was "a beaming Hannah brimming over with the enthusiasm for the New World." (Her husband is described as "tempestuous, sometimes frighteningly *mental*.") Miss Arendt, it seems, was "genuinely conservative," in contrast to Professor Irving Kristol, who is a "professional rightist," and Professor Walt Whitman Rostow, who is "an official type" (?). I cite these references because they are characteristically infelicitous distinctions, and sit alongside such unhappy pictures as that of two spinsterly professors "snortingly taking their constitutional," or of Kazin's unsuccessful third marriage, to a novelist, which, he says, was "like being married to Saul Bellow."



There is also a curious code of honor at work here. Stark Young's flirtation with Kazin, while both were employed by *The New Republic* in the Forties, is carefully recalled; but when Kazin returns to the apartment of a mistress and finds another man sharing her bed, we are told only that he is "a Jewish intellectual whose name I knew well." When describing a stray moment of amorous success in Central Park, Kazin achieves the eloquence of the author of *Love's Tender Fury* or *Blades of Passion*, writing, "The ripples in the reservoir went out wider—it was already like being in her, swimming far out in her with effortless strokes. It seemed to me that I was stitched to her. And I knew, more firmly than I had ever known anything, that I wanted it, I wanted her so badly that my heart was clanging in my ears like the wire fence around the reservoir in the wintery wind."

Amid all this bad writing a few interesting stories manage to get themselves told, and a handful of intriguing personalities struggle to take their bows. The sketches of Edmund Wilson at different points in Kazin's and Wilson's lives are among the best things here. The late Professor Trilling is photographed in a hilarious pose, sitting stiffly in the offices of *The New Republic* and announcing that he would contribute to the journal nothing which would not "promote my reputation." It is even recalled that Edwin O'Connor devised a game called "Schlesinger," which was played by children on the beach at Wellfleet: you tried to knock a beer can off a sand hill, and a miss added a letter to your total; the first to spell out "Schlesinger" lost.

Such moments do not compensate for the burdensome prose of Professor Kazin; nor do they prompt much reconsideration of the past three decades of American literature. *New York Jew* has been hailed as an essential companion to that literature, and in a sense the tribute may be deserved: Kazin has served up an autobiography of the literary life worthy of our epoch's devotion to works of the fourth and fifth rank. □

Mr. Ross is the author of The Literary Politicians.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FILM

DOG-DAY DISTEMPER

JOHN SIMON

Thanks to various inventions, pain has pretty much been taken out of dentistry. All but psychic pain, that is; when the drill whines, keens, and shrills inside my mouth, I still experience soul-suffering of the kind rock music inflicts on me. So I do not constitute the ideal audience for a movie like *The Last Waltz*, by Martin Scorsese, which is about the last concert, given in San Francisco, by a group called The Band. In this swan song (contrary to legend, swans have abysmal voices), The Band was joined by numerous rock celebrities, ranging from Joni Mitchell to Bob Dylan, from Neil Young to Neil Diamond.

Seven cinematographers (three of them very famous) and scads of assistant cameramen worked on *The Last Waltz*—"the first 35-mm rock film ever made [and] the first to use a 24-track recording system, which, after the longest mix in history, has produced the final 4-track Dolby stereo print," we are informed by the press kit. And all this technology to reproduce more accurately the sound of a high-powered drill inside your mouth—accompanied, worse yet, by banal words of a type that no respectable dentist's drill would be caught uttering. Let it be said that Robbie Robertson, the leader of The Band, has a good and interesting face, and comes across as an at least intermittently sensible fellow, which may account for the disbanding of The Band.

What the film demonstrates irrefutably is the ineptness of Martin Scorsese as a director. First, he intercuts his lengthy interview of The Band with the concert sequences. Aside from the fact that the talk is less than sparkling (and some of its raunchier parts were cut before release), it interferes with the flow and cumulative impact of the music. Secondly, he does not, except for one or two—possibly unintentional—glimpses, show us the audience, and so loses a major source of dramatic effect. Thirdly, he has added three episodes that did not take place at the concert, and thus forfeits even the dignity of honest reportage.

Even those delighted by the music (if that is what it is) should be able to see how cinematically uninteresting this event and its rendering are, despite all those cameramen and recording tracks. Three San Francisco poets of dubious merit also throw in paltry contributions (Lawrence Ferlinghetti offers a strained parody of the Lord's Prayer, Michael McClure an inauthentic reading of the General Prologue to *The Canterbury Tales*, and somebody called Sweet William Fritsch a dispiriting piece of drivel called "The Spirit"), but that is merely going from bad to verse.

EVEN SADDER, if possible, is the movie inflation and vulgarization of the charming stage musical *Grease*. What had a true Fifties period look and sound on stage, and at the same time functioned as affectionate ribbing, has become submerged in a glutinous mess of overblown production numbers, true neither to the period nor to the spirit of the show, with the satire yielding to mere foolishness. There has been a great deal of adapting by Allan Carr, screen-writing by Brontë Woodard (if you can believe that name), and additional song-writing by various hands; moreover, a bunch of grand old actors, comics and pop musicians have been brought in for cameo roles. These cameos, being on an even lower level than the rest, might better be described as intaglios—or, perhaps, imbroglios. An enfeebled, almost doddering, Sid Caesar is particularly grotesque as the athletic coach, though Eve Arden at least manages to rise above the inanities of the script.

Despite Bill Butler's consistently bold cinematography, the studio and location settings refuse to blend even into a consistent unreality. This *dépaysement* is heightened by a cast that, besides being uninspired, looks anywhere from ten to twenty years too old; nowadays, when it's virtually impossible to get an F, how many times can you repeat each year of school? Randal Kleiser's direction succeeds in making proliferation look lackluster, and frenzy, routine. Particularly offensive is Stockard Channing, whose singing defies even the ministrations of electronics, and whose enactment of the class cynic comes out as a cross between Ma Barker and Gertrude Stein. Olivia Newton-John is not much better as the sweet heroine who has to turn slinky sexpot to land the hero; in neither capacity is she anything but blandness, not personified, but depersonalized. This leaves John Travolta, as the debonair high-school gang leader; after seeing him in three movies, I am convinced that he has exhausted his slender bag of tricks. Even that smiling, blue-eyed colt face of his, like that of an anthropomorphized Walt Disney horse, has become a mere whinnying platitude.

The choreography by Patricia Birch is the one good thing the movie has inherited from the stage show, although even she was forced into overextension. The additional material, such as a hot-rod race that parodies *Ben Hur*, ranges from negligible to soggy, and the noise level, even without 24 tracks, is quite brutalizing enough.

THOUGH NOT a musical, *Jaws 2* might just as well have been one, what with its long sequences of teenagers sailing their Sunfish, while Bruce, the mechanical shark from *Jaws*, is able to get only one or two of them, probably because they are more than even a shark can stomach. With minor variations, the plot remains faithful to the clichés of *Jaws 1*, though it handles them with considerably diminished efficacy. Roy Scheider, who is talented, and Lorraine Gary, who is not but is married to a high-ranking studio executive, repeat their roles, as does the rather too convincingly smarmy Murray Hamilton. Bruce the shark, reactivated at a cost of $2 million, seems smaller, sillier, and far less deadly than before, and is disposed of by a maneuver that any first-year physics student could tear to shreds.

The shark's waning is caused by a decline in direction: Jeannot Szwarc has none of Steven Spielberg's manipulative cleverness. For one thing, he allows us close and disarming looks at

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the shark almost immediately; for another, he has soft-pedaled matters in general to the point where the film has only one genuine *frisson*, and that not directly involving the beast. Not even the budget—somewhere between $22 and $32 million—shows up on screen to good effect: *Jaws 2* has the hangdog look of a cheapie. When Scheider, as the wise police chief, complains to his wife about the purblindness of the corrupt city council that dismisses photographic evidence of the shark as seaweed or spots on the lens, he exclaims: "They see only what they want to see!" All I can say on behalf of us movie reviewers is, "Lucky they!"

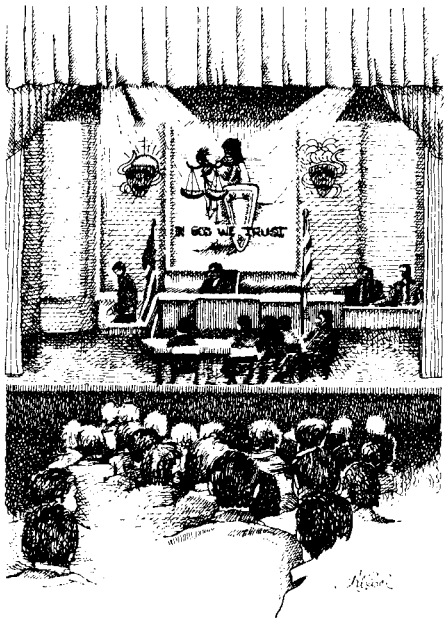
Perhaps the most bizarre item on today's screens is a movie that proclaims its originality in its very title: *A Different Story*. Insofar as the hero and heroine are, however inaccurately depicted, a homosexual and a lesbian whose relationship begins as a series of crude role reversals, the first part of the movie might seem different indeed. But then the two get drunk and end up in bed together in one of the most unappetizingly written (Henry Olek) and directed (Paul Aaron) sex scenes ever foisted on an already rotten movie. Overnight they become totally heterosexual, get married, have a baby, fall out over the husband's extramarital dalliance (strictly heterosexual, mind you!), are reconciled, and go off into the sunset together. If *that* is a different story, it is so only because it is even more stupidly insulting than the old lies. □

The GIMLET EYE

A DAY IN COURT

D. KEITH MANO

It was reckless endangerment of the spirit, I knew that: going back again. I have a voyeur's mean instinct: any lit window will inveigle my eye. I can't number the eaves I've dropped down from. And my pulse did an Unser-fast shift when I saw it: Queens Criminal Court. In my after-adolescence, through at least half of one year, I would loiter there: a six-month sentence for curiosity, aggravated, first degree. Court



calendars were my playbill: book, film, nothing could methadone me off it. I was a groupie for felons: I indulged in, related to, the stink of their desolate fear: maybe I was laundering Protestant guilt at a safe remove. There is no more awful, aweful amusement: medley in court of nervous boredom and the sudden shock that an owlstruck rabbit must feel on his last night out.

It could be some kind of verb: to court-appear. It conjugates so: terror, excitement, impatience, resignedness, irritability, and green anger at last. The law's delay: they wait. Waiting is a form of absurdity, Beckett knew that: Kafka's castle had easier access than this. Semi-children in their best job-interview get-up: the lethal-weapon-like Afro comb or hairbrush handle shiving out from a back trouser pocket. Their neatness is bathetic, unsuitable: it means to character-witness for them: for a wild, six-pack misdemeanor they can hardly recall now. And father, that live-in prosecutor, who will be docked his day's minimum wage, one hand up, to cover the nose or chin they share, to disguise guilt by hereditary transmission.

Power on: a judge has come in: as if he carried paten and chalice, we stand. "Put all reading material away. End all conversations." A court officer will prohibit my notebook. Tedium must be glassy of surface: undistracted: a ball-bearing roll. By 10:30, 15 or 16 items have been put off: for hours, days, months, -ever. Complainant not present; lawyer not present; *defendant* not present: they'd have better luck getting a quorum of passenger pigeons together. Police Officer X will wait from 9:30 to 3:30 and then give evidence, so help me God, in the grim matter of a misused bus pass. But more to come: after we hear this case, this little etui, Lawyer Y will request and achieve a *jury trial* —two months hence. My pocket, your pocket, Fagin-picked: but nobody is under indictment for that.

I don't wait. A trial buff is free on his own recognizance: he can shop around for action, courtroom to courtroom. In Part 2B a woman will receive thirty days for stealing one bottle of hair relaxer. In Part 3 Son has refused to bail Father out. ("Your Honor, I don't even know what he did, and I got enough trouble comin' down on me.") In Part 1B the judge will suspend sentence for a befuddled 19-year-old girl and then order her out of New York, home to South Carolina. ("Don't let me catch you around here again.") And, in Supreme Court, two men are on trial for an (allegedly) sensational murder. Their counsel is astute: I suspect they'd be in worse shape if they had stolen some (alleged) hair relaxer. I look at them: natty, confident, amiable. We are used to theater, its shape—act, scene, intermission or commercial, murder-as-pageant—that my looking requires willful retention of belief: *these nice men have taken another life*. Allegedly. The corpse is not alleged: just dead.

TAKE EVIDENCE from the table: a defendant must stand before it. In one of two ways. Your man out on bail will present himself upright: hands palm flat at pelvis side. He is yet assured: not of a cellblock mind. While ritual has its give-and-take, while he is dickered over, he will reach out: first one hand, then another. Fingers press lightly, they measure octaves: they improvise: brass-eared children at a piano in some vacant, new room. The table is still furniture; the man is still citizen: he has this inalienable right: to touch. But—your man who has come straight from the lock-up, he has already adjusted: and terribly. He will stand bent —well away from the table. It is not his now. Light flusters him; and air-conditioning. His clothes—clothes he was arrested in: T-shirt (torn), sneaker feet (sockless)—have made him more than nude here: uncouth. He will not touch.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In fact, his wrists will lie crossed behind him: the lesson handcuffing has taught. He is accustomed to that and, I surmise, comfortable with it. Bad hands have probably brought him here: it's better that they practice subjection: one less pair of limbs to think about. But both, when asked whether they have anything to add in their own defense, shake out an uh-uh, negative. The court reporter at his tripod sten gun machine (eyes up ceilingward, arrogant, show of blind competence) will touch-type, "Defendant indicates no." I have, on occasion, heard men say, "Guilty." There is never more protest than that. And the table recedes; they can't again be familiar with it: all easiness, even toward objects, is gone.

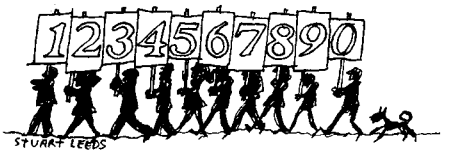
But what could they say? Nine of ten times they've been plea-bargained down. Sale items now: merchandise: stuff. Defense, People, Judge have haggled in smug fraternal whispers at the bench: power-steering, no; whitewalls, rear window defroster; okay, throw a spare tire in. It's more economical, I know; and speedier. But it feels tawdry; even unjust. "Defendant pleads guilty to harassment." "People agree." "Ten days or fifty dollars." The People, we, is/are a most effete and lackluster corporate person. It sells out for expediency: some retailer who has lost his lease.

Listen. You want a cheap ticket: take your date to court next time. Or, better still, your child. It's the most riveting, stone-mad entertainment in town. A city's bruised underlife: I love it, fear it: the tone-trueness; and it's always there. Go just once. You might end up a recidivist like me. □

BOOKS IN BRIEF

CITY OF FIRE, *by James W. Kunetka (Prentice, Hall, 234 pp., $10.95).* The events leading to the discovery of the atomic bomb at Los Alamos, New Mexico in the period 1943-1945, along with the significance of those events, should make for a powerful book. But no sooner has James Kunetka riveted our attention with an urgent narrative of the moments prior to the detonation of Fat Man at the Trinity site than he leads us into a chronological maze that taxes, if it does not subvert, the normal attention span. A pity, for the ingredients of high drama are surely present. An imposing assemblage of scientific experts, recruited by the brilliant Oppenheimer and including Bohr, Fermi, and Teller, forms a delicate partnership with the military regimen of General Groves, who is directing the operation. Under the auspices of, and with a $2-billion bankroll from, the U.S. Government, this partnership produced the means to end the war in the Pacific, and perhaps even life on this planet. Considering the magnitude of the enterprise, one would expect the author to place his major emphasis upon the larger issues and the principals involved in the Manhattan Project. Instead, he sacrifices a talent for description in order to dwell upon minutiae, informing us, for example, that Groves was dubbed "Goo-goo Eyes" by his detractors. *City of Fire* is a whimper in search of a bang. ALAN L. MILLER

THE FINAL CONCLAVE, *by Malachi Martin (Stein & Day, 450 pp., $11.95).* Reviewers of this book are hitting on one of its secondary themes—namely, the readiness of influential members of the Catholic Church to reach an accommodation with a future under Communism—and insisting that that is what the book is about. But as for what the book actually is, in fact, *mainly* about, there is a neat summing-up in the last ten pages. A hitherto obscure character takes the floor in the course of the meeting at which 118 cardinals are choosing one of their number to succeed Paul VI. With wonderful eloquence, this shy young African proposes a policy by which the Roman Church would hand over all its wealth—its art treasures, securities, and property—to an international, interdenominational trust fund; close its embassies; terminate all missions to the Holy See; and give back to Italy Benito Mussolini's gift of sovereignty over Vatican City and the outlying basilicas. The speaker is so persuasive that the cardinal-electors stifle their protests to emerge several pages later cheering him frenetically when he tells them what it is that must replace property, diplomacy, and statehood. He calls it "power in spirit." So compassionately are the black cardinal and his propositions drawn that there is no doubt in the reader's mind that the program of the fictitious Cardinal Azande is the program of the author. While Azande's proposal makes mention of some kind of commission to be set up after the final conclave to reconsider recent changes in the liturgy, for Martin the problems tearing the Catholic Church apart are political, not doctrinal. For him Lefebvre is a "man of the Right." He describes last October's World Episcopal Synod in terms of politics, Churchwide and worldwide, whereas in reality it was a daily attempt on the part of some twenty hand-picked First World bishops to indoctrinate more than a hundred Third World bishops in the strange new born-again dogma of the official Catholic Church. Clearly, ex-Jesuit Martin was reluctant to tackle the real drama going on inside the Catholic Church, which is the shift in doctrine—the deliberate shriveling of the age-old deposit of the faith—beginning well before the present pontificate and setting lesser matters, whether political, ethical, or disciplinary, on a breakdown course. Avoiding the central hard facts, he has managed to turn out an entertaining fiction. Deciding some day to face up to them, he might produce a great tragedy. MARY MARTINEZ



THE NEW HUMANISM: *A Critique of Modern America,* 1900-1940, *by J. David Hoeveler Jr. (University of Virginia Press, 207 pp., $12.95).* "I had no idea anyone still took him seriously." Such was the reaction of an eminent professor to a reference to Paul Elmer More in a student's paper. His offhand dismissal of More must be forgiven: he is an English professor, and a reasonable consensus has found the Humanists' moralistic criticism insufferably narrow (More once dismissed Don Passos' *Manhattan Transfer* as an "explosion in a cesspool"). But the Humanists' significance cannot be said to rest with their literary criticism. As Hoeveler's book makes clear, they are important primarily as cultural critics in a larger sense, as part of a fundamental reaction against the enthronement of naturalism and relativism in the American mind in the late nineteenth century. More and his colleague Irving Babbitt believed that most modern disorders were rooted in the ascendance of those doctrines, and they fought them wherever they saw their influence. If in their opposition they were didactic and insensitive to the artistic merit of much modern literature, they may be saluted nonetheless for their achievement in upholding ideas upon which humane civilization depends: that nature is not the measure of man; that a politics not based on fealty to principle erodes liberty; and that reason is essential for discerning the value of traditions, but dangerous if left to range anarchically in romantic abandon. In these and other matters, they insisted, we are to be held to certain *standards* and thereby disciplined to become fully human, rising above mere animality. Hoeveler's book offers lucid descriptions of the Humanists' positions in philosophy, religion, education, and politics, as well as in literature; it is a good introduction for anyone who wants to get acquainted with these early combatants in a battle conservatives still must wage. DOUGLAS W. STERNER

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Dark Horses

M. STANTON EVANS

When Jeffrey Bell breezed home to victory in last month's Senate primary in New Jersey, he focused new attention on something called the Kemp-Roth tax bill, named for Representative Jack Kemp of New York and Senator William Roth of Delaware.

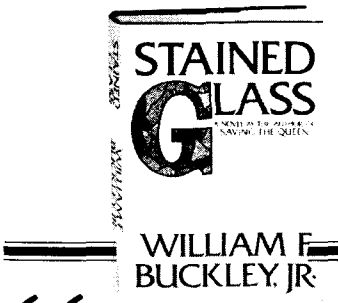
This legislation, which would cut federal tax rates 33 per cent across the board, was the principal issue of Bell's campaign. He promoted it, as do its original sponsors and a growing legion of other supporters, as a way of revving up production, creating jobs, and shrinking the size of the federal deficit. To understand how a tax cut could achieve all this, it is necessary to grasp the theory on which Kemp, Bell, and Co. are proceeding, involving such things as marginal tax rates, "the wedge," "the Laffer curve," and other terms of the tax-cutting art. Fortunately, a handbook that explains it all is now available, in Jude Wanniski's *The Way the World Works* (Basic Books, $12.95).

Wanniski is a former editorial writer for the *Wall Street Journal* who has served as a counselor to Kemp and Bell and as an intellectual broker for the ideas of Arthur Laffer, a professor of economics at the University of Southern California. The essence of the Laffer-Wanniski thesis is that there is a predictable link between the level of taxation and economic productivity ("the Laffer curve"). A high and rising tax rate, increasing the wedge between what people earn and what they keep, will dampen productivity (and thus official revenues). A declining tax rate, on the other hand, by reducing the wedge, will encourage productivity, and so engender greater revenues.

Wanniski documents this notion with a revisionist economic history of the United States, Great Britain, and Japan. He argues that the Depression of the 1930s occurred because of high protective tariffs, followed by high domestic tax rates (both increasing the wedge confronted by entrepreneurs and workers); that Great Britain's economy has been in a downward spiral for thirty years because high taxes imposed in the First World War have never been diminished; that the economic resurgence of Japan stems from the fact that, "in every year since 1950, the government has cut high marginal tax rates on personal and/or business income, either directly through rates or indirectly through tax preferences."

In much of this, Wanniski is consciously standing the Keynesian economic theory on its head; Keynesianism has stressed the idea of trying to battle unemployment by jacking up demand through deficit spending. The Laffer-Wanniski theory will have none of this. It stresses the dynamic relationship of incentives to production—the need to spur the forces of work, investment, and job creation—rather than a static correspondence between official deficits and consumer spending. It is the *supply* side of the question that matters in this view, not the demand side.

Nicely complementing Wanniski's study is G. Warren Nutter's *Growth of Government in the West* (American Enterprise Institute, 1150 Seventeenth Street, N.W., Washington, D.C. 20036; $2.75). Professor Nutter, who teaches economics at the University of Virginia, shows that the wedge imposed by free-world governments has grown enormously in recent years. For 13 nations covered in his analysis, the median share of national income accounted for by government spending has risen from 34 per cent in 1953 to 49 per cent in 1973. The most rapid rate of increase, and highest levels of absorption, are in the Scandinavian countries, Great Britain, and the Netherlands—while the slowest and lowest are in Australia, Switzerland, and Japan. The United States, onetime palladium of free enterprise, can do no better than middle rank, with more than 40 per cent of national income absorbed by government. □



"...the book has an abundance of wit and is constructed with an even tighter suspense, there is an ultimate somberness beneath it and an approach to authentic tragedy."

The Wall Street Journal

"The spy tec has become the picaresque novel of our time, and will be a grand index of our tacit assumptions to scholars of the mid-XXI Century, or whenever. The moral conundrums involved in the form...have become as torturous as the fine points of chivalry in Corneille and Racine....Howsomever, for verve and éclat Buckley takes the branch of wild olive. It's a splendid novel."

Guy Davenport

"... Buckley writes with such wit and charm that one is soon engrossed in his book and rampaging through the pages,... Thanks be to Buckley for using his immense skills to weave the final web with the delicacy of a Rembrandt among spiders."

Dallas Times-Herald

"As pure fiction, Buckley's new novel is a winner."

New York Daily News

A Main Selection of the Literary Guild
ON THE BESTSELLER LIST
$8.95 AT ALL BOOKSELLERS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

READER'S SERVICE

HOW WELL WE SERVE YOU depends largely on whether you include your address label when you write us about your subscription. Please attach it to all correspondence. When moving, please give us 5 weeks notice, and paste your old address label here. Print new address below, including your ZIP code.

You may use this form to subscribe, renew, change your address—or for any other correspondence you may have with us. If you attach your mailing label at right, you will have helped us be both speedy and accurate.

REMEMBER
that Magazine and BULLETIN are on separate lists! If you are a subscriber to both, you must tell us to change both lists.

Address all inquiries or subscriptions to: National Review, Readers' Service, 150 E. 35th St., N.Y., N.Y. 10016

NAME _____
(Please print)
ADDRESS _____
(New address–if moving)
CITY _____ STATE _____ ZIP _____

☐ **PLEASE CHANGE MY BULLETIN ADDRESS ALSO** ☐ **I wish to subscribe to NATIONAL REVIEW for one year at the regular $19.00 rate. Please enter my** ☐ **new** ☐ **renewal subscription:** ☐ **payment enclosed** ☐ **bill me later.**

HAZLETT

(Continued from page 887)

into this "tax revolt" frenzy. But Howard Jarvis had been peddling the very same potions since 1962 with no result. Any commentator who credits Mr. Jarvis with the success of the Jarvis-Gann initiative makes the same mistake that plagued former Governor Edmund Brown, who chose to end his remarks during a Proposition 13 TV debate with the comment that such a "meat-axe" approach wasn't needed—he, after all, hadn't been forced out of *his* home!

That assertion sums it up. A $50,000-a-year state pensioner doesn't understand the problem of a $20,000-a-year head of household who gets zapped with a $2,500 property tax bill—a bill that may double next year when his home is reassessed. The emotion of that man or woman was all there was to the support for Proposition 13, and it was provoked by the property tax assessors—not by Howard Jarvis.

On April 3 the Field poll showed Proposition 13 leading by only 27 to 25 per cent. But the politicians took it from there, with story after nightmare after epic tragedy about the disaster of decreased government spending. This didn't shock the citizens. Quite the contrary. They already had their own horror stories in the form of tax bills.

The politicians pointed out the obvious, that a 57 per cent reduction in property taxes was going to bounce things about, and that an instantaneous drop of $7 or $8 billion in state revenues was going to create big trouble for government planners. The "Yes on 13" voters didn't *miss* this message—they simply *agreed* with it. No doubt about it, Proposition 13 will create a mess. But this time, the taxpayers rejoice, it will be *their* mess.

More than anything else, the public sector panic gave Jarvis-Gann legitimacy. It made people think they had a bona-fide chance to land a haymaker. As State Assemblyman Paul Priolo commented, "Whenever I tell an audience that Jarvis will bring local government to a halt, all I see is smiling faces."

In California, they're still smiling. ☐

Catch Every Eye!

On the beach, a cruise, a party... this classic imported **Moroccan Kaftan** will make you— and your figure—more alluring, exciting, mysterious.

Glamorous leisure wear for a 1000 and one nights. 100% cotton — one size fits all. Inside bodice belted.

Comes in black, brown, red, sherbet... with white embroidered trim. The only thing better than buying it for yourself... is buying it as a gift.

$19.50

Mail your order to: ROBERT SHELDON INTERNATIONAL—National Review Offer
500 Northern Blvd. Great Neck, New York 11021

Name _____
Address _____
City _____
State _____ Zip _____

How many	black	brown	red	sherbet	price	total

Add $2.00/postage/handling per kaftan
N.Y. State tax Res. add 6%
Total amount

Enclosed is $_____ Check ( ) M.O. ( ) Sorry no c.o.d.
Allow 2-3 weeks delivery. Return within 7 days for refund if not completely satisfied.

SMITH

(Continued from page 898)

Cantu and his deputy each offered to return $1 million, the prosecutor's office announced, but later, on advice of counsel, changed their minds.

You can, they say, search modern Mexico from one end to the other without finding a single monument to Hernán Cortés or any of his doughty lieutenants. Yet much of the Mexican bureaucracy is in itself a monument to the *Conquistadores*. They set up the government of New Spain with the single-minded objective of getting rich off the sweat of the peasants, and while many Mexicans in positions of authority are men of unquestioned integrity, all too many down through the centuries emphatically have not been. They were with Cortés.

It is widely recognized that the recent abuses of a bureaucracy run wild can be blamed on the prevailing one-party political system and the reciprocal protections built into it by the good-old-boy network. Public indignation fired by recent revelations may still force sweeping reforms in the system. But as López Portillo hinted to Jimmy Carter, there may not be much time. ☐

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE LONELY VIGIL

OUR "ENLIGHTENED" CENTURY has reduced the flame of Western Civilization to the merest flicker. Those of us who, for various reasons, stand watch over that flame sometimes find ourselves overcome by the loneliness of the vigil. It is so much *easier*, after all, to join the crowd in the street and simply drift with the times.

Now, at last, there is a magazine that offers intellectual and moral support for the thousands of lonely watchmen across the land. **THE NEW AMERICAN REVIEW** is a bold young bimonthly journal of opinion that defies the prevailing winds and, if successful, could very well reverse the ominous trends of our time.

THE NEW AMERICAN REVIEW's readers and contributors are a spirited conglomeration of crusty conservatives, classical liberals, Spenglerian doomsayers, country squires, educated paupers, humanists, humorists, "fed-up" middle-class taxpayers, earnest Grub Street toilers, aesthetes and decadents, stalwart Puritans, Thomist philosophers, neo-Augustans and other, less-classifiable, declaimers against the times.

We do not simply gnash our teeth and cry "O tempora! O mores!" (some of us don't even know Latin.) Rather we are bound together by an active dedication to the preservation of common sense, civilized standards, traditional values, and congenial virtues in an uncongenial age. We think our role as "keeper of the flame" is a rather heroic one for a magazine. We do not cater to the sleek, trendy, upwardly-mobile types courted by most "smart" magazines of our day. Our editorial policy is vigorously anti-chic. We have a ready eye for fashionable humbug, and we're not intimidated by it.

Neither is our journal limited in its scope. In each issue we focus upon a variety of fields, running the gamut from movies and television to literature, art, philosophy, international politics, and religion. We offer a refreshing respite from the repetitious, wrongheaded opinions of the critical establishment and the subtle tyranny of "liberal" punditry.

As one scribe has put it, "**The New American Review** fills a virtually empty niche between the glossy middlebrow magazines (*Saturday Review* & Co.) on the one hand, and the esoteric academic quarterlies on the other."

Our features can be enjoyed as well as pondered. Take, for instance, this sampling from recent issues:

- **THOMAS MOLNAR attacks the ugliness of the modern city.**
- **GEOFFREY WAGNER indicts the Sixties as "A low, dishonest decade."**
- **MILTON FRIEDMAN reminisces about Ludwig von Mises.**
- **RUSSELL KIRK looks to the Augustan Age for some lessons for our own day.**
- **A special feature issue: The Collapse of Modern Architecture.**
- **The previously unpublished letters of Christopher Dawson.**
- **ERNEST VAN DEN HAAG takes on the naysayers of religion.**
- **DAVID PIETRUSZA warns of the rise of "The Electronic Presidency."**

Join our growing list of readers today by clipping out the handy coupon at the right . . . and tell your friends about us!

Yes, I want to help keep the flame of the West alive, and I want to start by subscribing to **The New American Review.**

NR1

Name _____

Address _____

City _____ State _____ Zip _____

	Send to:	
One Year - $ 9.00	T.N.A.R.	☐ Payment Enclosed
Two Years - $17.00	15 Burchfield Ave.	
Three Years - $24.00	Cranford, N.J. 07016	☐ Please Bill Me.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Classified Advertisements

Situations Wanted

FIRST-CLASS honors degree (English) plus scholarship won by this Yank at Cambridge are at the service of some lucky Capitalist Roader. Professional writing, editorial, research experience. Write NR Box 3122.

Employment Opportunities

HOW TO EARN MONEY AS A CONSULTANT (including specimen contracts). Send stamped, self-addressed envelope to Business Psychology Int'l, 890/15 National Press Bldg., Washington, D.C. 20045.

WANTED: EXPERIENCED WRITERS and researchers for 41-year-old tax-exempt educational organization. Conservative, dealing in issues facing U.S. internal and external security matters. Write to NR Box 3113, stating qualifications and salary range.

Investment Opportunities

MUNICIPAL BOND FUND OWNERS! With bond fund prices down you can create a tax loss at no cost. Sample tax form included. Send $3.00 and save hundreds to: H. Lerner, 637 West Penn St., Long Beach, N.Y. 11561.

HOMEOWNERS/HOMEBUYERS — How to save money when buying a home: $4.77. 72 tips on how to inspect a home before buying: $4.99. How to sell your home for maximum profit: $4.88. OR all 3 publications (above)—$14.64 Value for $11.00. Mail to: Jenico Press Inc., P.O. Box 497, Station A, Ottawa, Ontario, Canada K1N 8V5.

Vacation

SAN FRANCISCO ON A BUDGET. Beresford Hotel, 635 Sutter Street, 94102; Charming, Convenient, Comfortable.

Personal

(NR extends maximum freedom in this column, but NR's maximum freedom may be another man's straitjacket. NR reserves the right to reject any copy deemed unsuitable. —Pub.)

SINGLE MALE, 33, Jewish, Detroit area. Enjoys music, reading, traveling. Wishes to meet compatible young woman. Write NR Box 3124.

NOTE: Responses to box numbers will be forwarded. Address: Classified Department, National Review, 150 East 35th Street, New York, New York 10016

National Review Accepts . . .

classified advertisements for personal services, items wanted or for sale, jobs sought or available, houses or apartments for sale or rent, and miscellaneous subjects of a comparable nature. National Review does not accept political advertisements of any kind, or advertisements which are solicitations for funds. National Review reserves the right to reject any copy deemed unsuitable for whatever reason. Rates per insertion: 65¢ per word, minimum 10 words, plus $1.50 for box number. Text accompanied by full payment must be received 25 days before publication date.

CONSERVATIVE PENSIONER (also has small job) 37. Walks with cane, non-smoker, country intellectual, loves good wine. Would like to correspond with lonely single girl of Buddhist, Shinto, Jewish, or Unitarian religion. Write NR Box 3121.

LONELY? Make new friends. Write NR2 Pen Pals, Box 415, Kansas City, Mo. 64141.

SINGLE BOOKLOVERS gets cultured, single, widowed or divorced persons acquainted. Nationwide. Established 1970. Write Box AE, Swarthmore, Pa. 19081.

MEET YOUR IDEAL MATE—Scientific Computerized Matching. Nationwide. All Ages. Inexpensive. FREE Questionnaire. TEAM, 1270 Broadway, N.Y.C. 10001.

Literary

THE UNFRIENDLY SKIES—an Aviation Watergate. The documented untold scandal behind some of the nation's worst airline crashes. $7.70 postpaid. Diablo Western Press, Box 766, Alamo, Calif. 94507.

THE PEOPLE'S GUIDE to Campaign Politics, by Gary Robert Schwedes. Definitive work on local compaign techniques. Nominated in Washington Monthly for Political Book of the Year. Send $3.30 to: Schwedes Campaign Consultants, 1725 The Promenade #304-A, Santa Monica, Calif. 90401.

OUT-OF-PRINT Bookfinder. Box 5842 NR, High Point, N.C. 27262. Send requests.

OLD POLITICAL BIOGRAPHIES. Free catalogue. White House Books, Box 16, Boyertown, Pa. 19512.

BOOK SEARCHING. ALL SUBJECTS. Large Stock: lists on request. Regent House, 108 N. Roselake Ave., Los Angeles, Calif. 90026.

For Sale

GOLD BULLION AND COINS. No sales tax. Cheshire National Bank, 15 Main Street, Keene, N.H., 03431. 603-352-5050 (Member FDIC).

ETCHINGS—signed, numbered, limited edition etchings. Traditional approach. For catalogue contact Robert McCormack, 4456 Mill Run Road, Dallas, Tex. 75234.

FREE catalogue of "Distinguished Gifts." Write to G. Speck Enterprises, Dept. 1AZ, 819 Alston Avenue, Gulfport, Miss. 39501.

BURTON HARPSICHORDS, SPINETS, AND CLAVICHORDS—Professional instruments in kit form, from $195. For brochure, write Burton Harpsichords, 727 "R" Street, P.O. Box 80222NR, Lincoln, Neb. 68501.

Miscellaneous

CONFIDENTIAL GOVERNMENT FILES on you. Know more about what they know about you. The Freedom of Information Act entitles you to it. For details plus a compiled list of 25 government agencies, send $1.00 to: EMM Services, P.O. Box 67779, Los Angeles, Calif. 90067.

SAFE DRIVERS, lowest auto rates, 5 boroughs. Free quotation. John Hancock, Sentry Insurance, Wisconsin. 212-441-7228.

DRINK LIQUOR while dieting? Yes! Over 60 delicious drinks 25 to 98 calories. $1, S.A.S.E. to: Ericson, 4455B Indianola, Indianapolis, Ind. 46205.

LET YOUR VIEWS be seen! Bumperstickers can say anything. $1.50. Save! 5 for $6.00. Discover easy advertising. Bumper Art, Dept. N, Box 404, New Hampton, N.Y. 10958. For quantity orders call 914-692-4668.

COLLEGE DEGREES BY MAIL. Bachelors, masters, doctorates. Legal, inexpensive, fast. Free details. Dr. John Bear, 2150 Franklin Street, Dept. 62190, Oakland, Calif. 94612.

OWN RACING GREYHOUNDS. Costs, training farms, purses, license, tax savings. Brochure—$2.00. Imports, Box 240, Tolland, Conn. 06084.

BUMPER STICKER Printing Device. Cheap, Simple, Portable. Free Details. Bumper, P.O. Box 22791(JM), Tampa, Fla. 33622.

BLANK CARDBOARD RECORD replacement jackets, 35¢. Plastic-lined inside sleeves, 15¢. Opera boxes, vinyl protectors, 78 RPM sleeves, etc. Postage $1.25. CABCO, NR, 78, Box 8212, Columbus, Ohio 43201.

DISCOUNT WALLCOVERINGS—Liberal Savings for Conservative Shoppers. Strahan, Schumacher, Walltex, Sanitas. Any brand. Paper, vinyl, silks, designer handprints, fabrics. Call with pattern number, rollage. Toll free: 800-245-1768. American Discount Wallcoverings.

FURBISH LOUSEWORTS! Snail Darters!! For obvious reasons we don't stock these. But we do have a good buy in authentic Taiwanese-Chinese chopsticks. No. 1 grade bamboo with deep-stamped colorful characters. They're lots of fun for the entire family. Simple usage instructions included. Portable. Four pairs—$2. Postpaid. Lakeland Chortle Works, P.O. Box 230, Pompton Lakes, N.J. 07442.

LEGALLY RECORD YOUR genealogy for permanent availability. Easy, inexpensive. Complete kit $3.50. Selections, 4713 Richardson, Ashland, Ky. 41101.

FOR SALE: Vol. I, No. 1, collection of first editions: Yank, Flair, Sports Illustrated, National Observer, People, Quest, others. List: Box 776, Ligonier, Pa. 15658.

Solution to Last Issue's Trans-O-Gram

W[ALTER] B. WRISTON:

Critics of Business

When regulation fails, as it inevitably does, they do not repeal the laws but amend them into infinite complexity until the purpose of the original law is lost. The use of the regulatory reflex . . . feeds an insatiable appetite for power on the part of an expanding government bureaucracy. (Title supplied; Mr. Wriston was speaking about critics of business and industry.)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MEET THE STARS OF THE 16TH AND 17TH CENTURIES.

Nicolas Copernicus
A timid church cleric who suppressed his own revolutionary theories for thirty years.

Tycho Brahe
A proud Danish nobleman—and the greatest naked-eye sky-watcher of all time.

Johannes Kepler
A mathematically minded mystic who described the first laws of planetary motion.

Galileo Galilei
A self-proclaimed rebel whose persecution by the Church epitomized the clash between the old world and the new.

Sir Isaac Newton
An enigmatic genius whose scientific synthesis of the universe marked the end of the Medieval era.

Here is the story of five great men who gazed into the starry unknown, and made the brilliant discoveries that culminated in the birth of modern science.

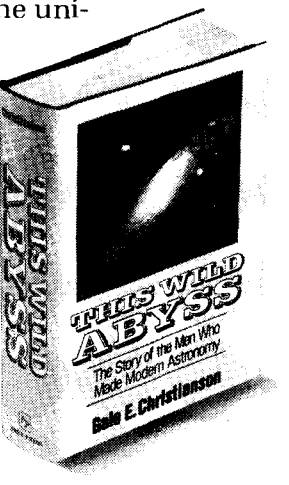
How did they do it? How did they advance beyond the earth-centered, man-centered world view of their day? What prodigious leaps of imagination, and intellect, were necessary to see the universe in a totally new way?

In a richly detailed and unforgettable chronicle, *This Wild Abyss* recreates the life stories of the handful of men who sought to define man's true place in the universe—in two turbulent centuries, and for all time.

"This is history in the heroic mode."
—The New York Times Book Review

"...in-depth biographies ...lucid descriptions."
—Publishers Weekly

"It makes an immense chronological sweep...of the forces and tensions that culminated in today's galactic understanding."***—Kirkus Reviews***



THIS WILD ABYSS
The Story of the Men Who Made Modern Astronomy
By GALE E. CHRISTIANSON

$12.95

FREE PRESS
a division of Macmillan Publishing Co., Inc.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

WM. F. BUCKLEY JR.

The Estrangement of Solzhenitsyn

On The Right

New York, June 30—It should be remarked that the English translation of the notorious speech by Aleksandr Solzhenitsyn at Harvard is crude. So crude as to cause the reader to grope, here and there, for the meaning exactly intended. It was incautious of the author to have turned over a talk of such weight to such a translator as President Carter took with him recently to Warsaw; it is perplexing that Harvard University, a cathedral of verbal exactitude, should have sent out so ungainly a text. But it is all we have got, and the dozens, indeed hundreds, of comments in America and abroad have only this text to rely on in order to plumb the meaning of what I see as the estrangement of Solzhenitsyn from the West.

In saying such a thing one intends to say more than merely that Solzhenitsyn has apparently despaired of the ability of the West to cope with its plain-spoken enemy, the Communist totalitarian powers. Others have despaired, only a few with comparable eloquence (one thinks of Koestler, Chambers). Two years ago, in his remarkable interview with the BBC, Solzhenitsyn explained that during his long years in the Gulag he came to worship the West on this one count alone: the West was where freedom was tolerated, and the West was where firmness was shown in coping with the Communists. He fancied (and here, ruefully, one surveys the record of Western accommodation tracing back to Yalta) that the West was rock-like in its defiance of the Communist powers. He began to discover, in the age of detente, that it was less than rock-like. Solzhenitsyn came out of Russia in time to see us abandon Indochina, sit by idly while Communist janissaries penetrated Africa, fumble about in the United Nations and elsewhere in our incoherent attempt to defend human rights everywhere but in those nations in which they were being most systematically outraged.

All this is not new, and Solzhenitsyn did not need to go to Harvard to declare his strategic pessimism, though it was a marvelously appropriate forum. He went further than to remark the ineptitude of Western strategy. The trouble with the West, he said, is that it is quite rotten.

Is he correct? It isn't easy to answer the question. And one would not trouble to probe it except for the nearly unique authority that Solzhenitsyn commands. Such is the debt of free spirits to Solzhenitsyn that we owe it to him at least to consider anything he asks us to consider.

"Through intense suffering," Solzhenitsyn said, "our country has now achieved a spiritual development of such intensity that the Western system in its present state of spiritual exhaustion does not look attractive."

We begin by asking what, clearly, Solzhenitsyn could *not* have meant by this. He could *not* have meant that a society, however bedeviled by eristic defenses of pornography, violence, and slander, isn't to be preferred over a society in which people may not write pornographic books or deplore publicly sanctioned violence or bring legal action in self-defense against public slander. It is clearly preferable to see violence on a television screen performed by cheerful outlaws than to see it on the street performed by state policemen. It is preferable to see sex on the stage or screen than to endure state-sanctioned sexual exposure *à la* Mrs. Orlov.

SOLZHENITSYN'S critics miss the point in suggesting that he cannot choose as between the evils of the society he fled, and those of the society that welcomed him. He is saying that what Russia has gone through, after sixty years of socialism, has left Russians (but how many Russians?) thirsting for something they could not readily come upon if, suddenly, they found themselves in, say, America. The thirst for spiritual sustenance is not satisfied by *Playboy* magazine, nor that for the stimulation of the moral imagination by the gossip pages of the flourishing press. "After suffering decades of violence and oppression, the human soul longs for things higher, warmer, and purer than those offered by today's mass living habits, exemplified by the revolting invasion of publicity, by TV stupor, and by intolerable music."

The weakness in this judgment lies, I think, in Solzhenitsyn's confusion of his own greatness of spirit with that of most Russians. Probably it is hard to find a Russian who has not suffered—indeed, insofar as men are deprived of freedom, they suffer every day. But the sublimation of the human appetite comes not to whole societies, but to individual members of the species. A whole people may feel the need to worship—and the thing most worshipped in Russia is the mythical Lenin. The society's poets, and Solzhenitsyn is supreme among them, abhor vulgarity. But for them to do so believing themselves to be spokesmen for all of Russia is to flatter their fellowmen. □

A VISIT WITH MR. HEALEY

London, June 28—Mr. Denis Healey, the Chancellor of the Exchequer, is a man of florid features and style who serves as the economic front-man for the government of James Callaghan. A fortnight ago Mr. Healey was the vehicle of an attempt by the Conservatives to muster a vote of no confidence in order to precipitate a general election. The device, like so many British traditions, is quaint: the formal motion was to reduce the salary of Mr. Healey by 50 per cent. Of course, reducing Mr. Healey's salary would hurt the government more than the intended victim, thanks to a generation of socialist progressivism in the tax structure. But in any event, the whole business was symbolic, and Labor won by five votes.

But it is generally thought that the survival of this Labor government is only temporary. You see, Mr. Healey came up with a budget artfully designed to bring economic benefits to maturity along about October. It is intended that several lines will intersect in the fall: a decrease in the inflation rate (it is already down to 9.5 per cent), a remission of taxes to the lowest wage earners, and a general bolstering of the pound as a result of the summer's harvest of North Sea oil. Although if it chose to do so the Callaghan government could remain in

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

power another year, it is not expected to let this season go by. Because, a year from now, the policies implicit in Mr. Healey's budget might well bear bitter fruit. There is a lot of oil out there, but not enough to transmute British working habits, domesticate the labor unions, or recapitalize the doddering British industrial plant.

Mr. Healey in action is a truly wonderful performance. Ask him why the British worker is relatively unproductive, and he will talk about the advantages of the trade union system in West Germany. Ask him whether the British trade union system is unsatisfactory, and he will tell you that in a free society, men have the right to organize. Ask him whether he approves of American anti-monopoly laws, and he will tell you that he does not wish to opine on American institutions. Should there be reform in the British trade union laws? Such as was proposed by Mr. Wilson's government years ago, implemented (in part) by Mr. Heath's government, and repealed by the present government? No—because the trade unions didn't feel they could live with those laws. Does that mean the trade unions are pre-eminent over Parliament? No, it means that British socialists are reasonable men, trying to live in the real world, unlike Conservative schematizers. After all—isn't it true that Mrs. Thatcher, the leader of the opposition, has failed to promise to re-enact those labor union reforms? Doesn't that prove his point?

In a way it does. The trade unions do indeed have something of a veto over Parliament, and Mrs. Thatcher, a prudent woman, is unlikely to challenge them going in. More likely she will wait until her government consolidates in public esteem—if indeed she is destined to win—and then attempt her reforms gradually. She will not reform the trade unions in the same sense that FDR would not send American boys to fight in foreign wars.

A shrewd Conservative MP who has been many years in the House tells you matter-of-factly that the Conservatives are going to win. He makes it more fun by saying that not only are Conservatives going to win, the polls will once again predict—as they predicted in 1970—that Labor is going to win. Why will the British toss out Labor?

I suspect that, if there is a reason, it traces, really, to the dissipation of political faith. One has the feeling, listening to Mr. Healey, that one is listening to socialism's wittiest, most resourceful, and most eloquent man, and that the whole business of running England is merely the occupation he chose. Mrs. Thatcher, by contrast, is yearning to do something for her countrymen and palpably believes that she knows how to go about it. □

THE BRITISH THINK OF EVERYTHING

London, June 19—We are indebted to Mr. John Groser of the *Times* of London for advising us of the extraordinary solicitude shown by the National Union of Journalists for its members. The NUJ, which is the British equivalent of the American Newspaper Guild, has lately concerned itself over the World Cup championship, now being held in Buenos Aires. Soccer being the great popular sport of Europe, numerous British correspondents were sent out to cover the event. How shall they express themselves in that land? The NUJ, which thinks of everything, has come up with a Spanish-English phrase book to which correspondents can quickly refer.

"Dejen de torturarme, por favor," is one handy phrase. It means, "Please stop torturing me." You will note that the NUJ teaches its members never to forget the amenities: hence the recommended use of the word "please." No Britisher proud of the tradition of civility and sang-froid would be expected, even while his fingernails were being extracted, to make do merely with the phrase: "Stop torturing me!"—let alone, "Stop torturing me, you ——."

The Journalist's Guide then goes on to suggest an appeal to every worldly torturer's instinct, namely avarice. *"Mi periódico les pagará bien si me dejan ir"* is the Spanish for, "My newspaper will pay you well if you let me go." This sentiment, the *Times*' correspondent suggests, somewhat exaggerates the value in which, typically, the British journalist is held by his publisher. But never mind: we are *in extremis*, and should not be distracted. The Guide then suggests a way by which the torturers might be diverted. Ask them: *"Cuántos periodistas han masacrado este ano?"* That is, "How many newspapermen have you massacred this year?" Presumably the British journalist faithful to his calling would jot down the reply to that question, to be uncovered with his remains, adding to the store of journalistic knowledge; the problem of course being that at this point he might not have fingers left to jot down with.

And then the Guide instructs its membership in seemly final requests. *"Por favor entreguen mi cuérpo a mi familia."* That is, "Please deliver my corpse to my family." It fails to specify whether the corpse is to be sent back to England COD, but the Guide cannot be expected to think of everything. Although one can safely say that it thought of *practically* everything. E.g., it enjoins against "looking subversive." Because the NUJ has evidence that Argentinian security guards recently shot a photo-journalist who merely "looked subversive." Meditating this, I have paused to think of people I know who look subversive and should not, therefore, travel to Argentina. Certainly not Arthur Schlesinger, whose bow tie distracts from his subversive appearance about as effectively as Howard Hunt's red wig. John Kenneth Galbraith's preternatural height merely exaggerates a physiognomy expressively subversive. Michael Harrington should give Argentina a wide berth, and it is dangerous for Nat Hentoff to live in the same hemisphere as Argentina, if you want my opinion.

The *Times* thought to ask the general secretary of the National Union of Journalists whether it had in mind to compose a guidebook appropriate for journalists who will be traveling to Moscow to cover the 1980 Olympics. Well, replied the NUJ, that was "unlikely."

Surely that is strange. Several entries, which could be written out in phonetic Russian, leap instantly to mind. For instance, "Will I be going to the same place Ivan Denisovich was in?" Or, "Sir, will you punish me yet again, I having been conscripted to fight in the immoral, imperialist bourgeois war in Vietnam?" Or, "Sir, you misunderstood me when I cabled home that the American basketball team defeated the Soviet basketball team by 52 to 42. I wrote about the great Soviet victory, and a CIA agent tampered with the cable." Or: "I am ready to confess that my mother was a CIA agent, and so was my mother's father, whoever he was, that exploiter!"

But the imagination of the National Union of Journalists has not been stimulated in such a way as to meet the challenge. To be sure, there is time. Meanwhile the U.S. can, as a minimal contribution in charity, deploy one of our aircraft carriers to Argentina to stand by as the vicissitudes of the British journalists occur. Of particular interest will be the treatment of Soviet journalists in Buenos Aires. No doubt the Soviet Union of Journalists will want hazardous-duty pay for its members, not to mention an appropriate guidebook. Since it will not, however, include the phrase that lurks in the hearts of most Russians of international experience, I herewith supply it: *"Dénme, por favor, asilio politico."* Which translates, "Please grant me political asylum." □

(Washington Star Syndicate, Inc.)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Trans-O-Gram

By SVEND PETERSEN

DEFINITIONS

A. A Greek letter starts this flower — 45 29 41 93 122 143 154 194 227 234 / 52 131

B. Capable of using both letters and numbers — 30 7 16 223 165 202 40 50 65 106

C. Fabrics sold by a certain measure — 133 193 53 32 198 66 68 36 101

D. What the Founding Fathers spoke — 167 43 55 87 98 136 146 220 239 4 / 12 37

E. A town in East Flanders — 215 61 195 228 31 54 76 145 23 107

F. Not as wide — 232 173 189 199 71 125 117 155

G. An electron ejected by an ionizing particle in its passage through matter — 21 233 226 129 190 174 200 151

H. U.S. minister to Spain, 1825-1829 — 75 109 192 166 118 236 209

I. A sea nymph — 10 14 17 33 51 60

J. A fraction of blood plasma rich in antibodies — 58 1 201 221 211 230 162 168 132 178 / 185 20 85

K. A part of the Soviet Empire — 159 56 213 210 196 235 142 186 9

L. An artificial language — 176 15 86 105 153 184 205 212 81 44 / 160

M. A Hebrew letter starts this wintergreen — 90 121 237 57 179 110 203 24

N. Present — 102 124 161 130

O. A Hebrew letter starts this chapel — 2 47 70 74 82 94

P. A Spanish-Arab physician (1126-1198) — 113 19 156 229 13 238 170 140

Q. U.S. attorney-general (1841, 1850-1853), whose sons were officers on opposite sides in Civil War — 206 79 148 181 191 231 38 46 59 139

R. Surname of German physicist (1824-1887) and German philologist (1826-1908) — 119 3 169 177 147 214 225 42 72

S. An angry Greek letter — 128 180 69 62 149 88 27 111

T. What the leadoff *batter is supposed to* do — 138 89 187 116 5 25 204

U. An electron or positron ejected from the nucleus of an atom during radioactive decay — 11 224 64 80 134 152 219 175 183 114 / 208 217

V. Fragrance — 63 96 120 207 26

W. The first full year of Gregorian Calendar in non-Catholic nations — 100 22 34 49 67 73 78 84 92 164 / 171 218 222 163 28 115 126 135 144

X. Directly apprehended — 108 197 97 158 6 150 35 8 182

Y. A spiritual charge — 39 141 99 188

Z. What our country is a union of — 123 18 77 95 104 112 127 157 172 216 / 48 91 83 103 137

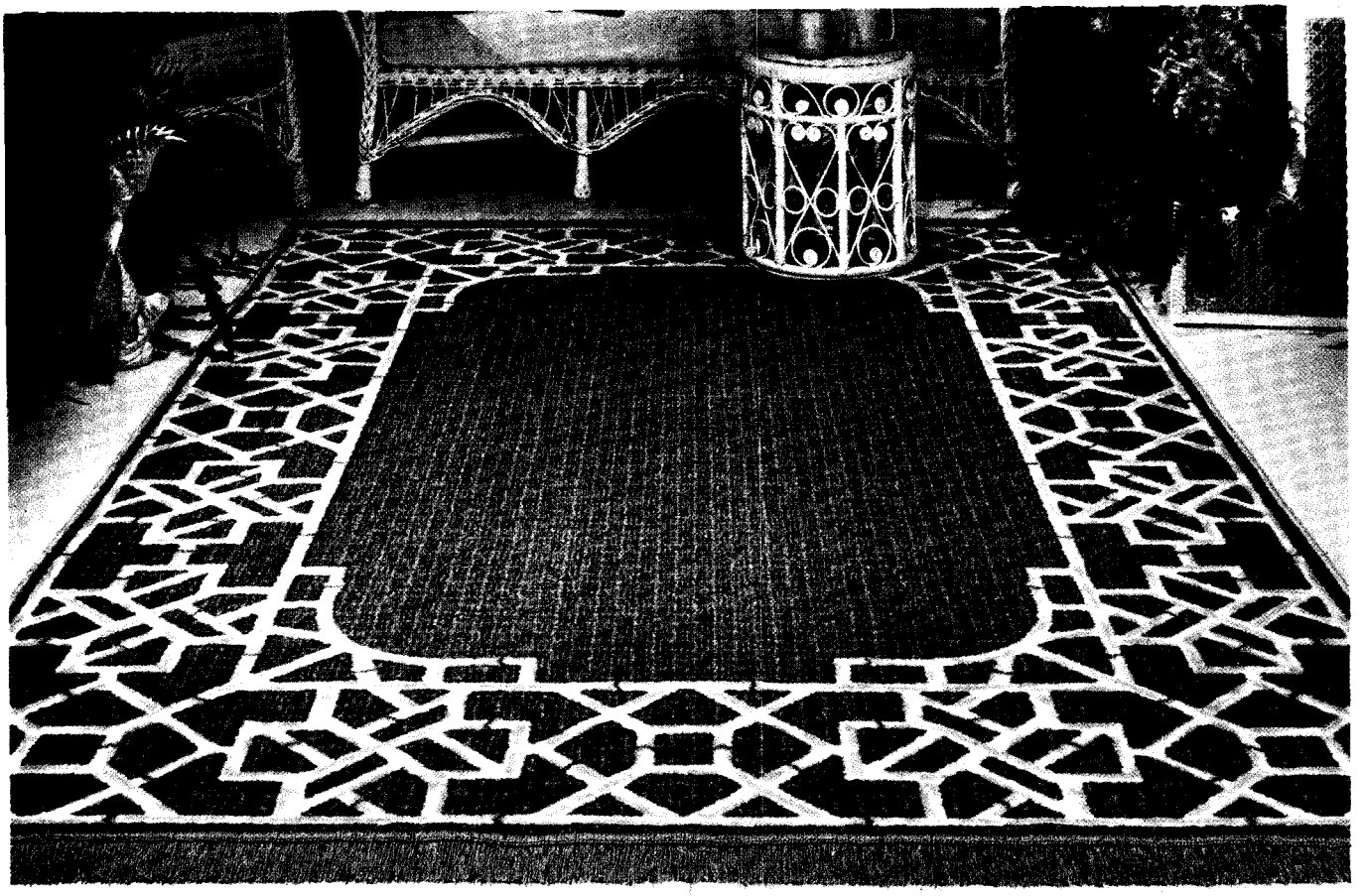
DIRECTIONS

The object of TRANS-O-GRAM is to fill out the puzzle diagram by guessing the words (above) from their DEFINITIONS, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled out it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the WORDS have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's New International Dictionary*, Second Edition.

See page 914 for Solution to last Trans-O-Gram.

1 J	2 O	3 R	4 D	5 T	6 X	7 B		8 X	9 K	10 I		11 U	12 D	13 P	14 I	15 L		16 B	17 I
18 Z	19 P	20 J	21 G	22 W	23 E		24 M	25 T	26 V	27 S	28 W	29 A	30 B	31 E	32 C		33 I	34 W	35 X
36 C	37 D	38 Q	39 Y	40 B		41 A	42 R		43 D	44 L	45 A		46 Q	47 O	48 Z	49 W	50 B	51 I	52 A
53 C	54 E	55 D	56 K	57 M	58 J		59 Q	60 I	61 E	62 S	63 V	64 U	65 B	66 C	67 W		68 C	69 S	70 O
	71 F	72 R		73 W	74 O	75 H		76 E	77 Z	78 W	79 Q	80 U	81 L	82 O		83 Z	84 W	85 J	
86 L	87 D	88 S	89 T	90 M	91 Z	92 W	93 A		94 O	95 Z	96 V	97 X	98 D	99 Y	100W		101C	102N	103Z
	104Z	105L	106B	107E	108X	109H	110M	111S		112Z	113P	114U	115W		116T	117F	118H	119R	
120V	121M	122A	123Z	124N		125F	126W	127Z	128S	129G	130N	131A		132J	133C		134U	135W	136D
137Z	138T	139Q	140P		141Y	142K	143A	144W	145E		146D	147R	148Q	149S	150X	151G		152U	153L
154A		155F	156P	157Z	158X	159K	160L	161N	162J	163W		164W	165B	166H		167D	168J	169R	170P
	171W	172Z	173F	174G	175U	176L	177R	178J	179M	180S	181Q	182X		183U	184L	185J	186K	187T	188Y
189F	190G	191Q	192H		193C	194A	195E		196K	197X	198C	199F	200G	201J	202B	203M	204T	205L	206Q
207V	208U		209H	210K	211J	212L		213K	214R	215E	216Z	217U		218W	219U	220D	221J		222W
223B	224U		225R	226G	227A	228E	229P		230J	231Q	232F	233G	234A	235K	236H	237M	238P	239D	

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Come home to the rug that was born in a palace.

This is Calcutta.

One look will tell you why its light, open, airy design could have graced a maharajah's palace. A closer look will tell you why Milliken created this to grace your home.

Come home to Calcutta and you will see what magic the combination of basketweave and bamboo trellis can create.

There's magic, too, in the practical touch of durable Anso® nylon and the guarantee of five years of wear.

You may choose Calcutta in any one of seven warm colors and any one of three sizes. Or, you may choose them all.

See your Kingsley Area Rugs at fine department stores everywhere. Or specify which size you'd like in the color shown and send your check for $99 for 4'x6,' $199 for 6'x9' or $299 for the 9'x12' size to The Mill Store, 612 Lincoln Street, LaGrange, Georgia, 30240. Visa or Master Charge numbers accepted. No COD's please. Price includes shipping and handling in Continental USA.

Kingsley Area Rugs

MILLIKEN

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

RALEIGH LIGHTS

NOW WITH 'FORTIFIED FLAVOR.'

Raleigh Lights has extra Burley tobacco in its blend. Rich natural Kentucky Burley that puts 'Fortified Flavor' in front of the filter so you get more satisfying tobacco flavor thru the filter.
Taste how good low 'tar' smoking can be, only in Raleigh Lights.

Good Time Taste comes to low 'tar' smoking.

'Fortified Flavor' and Double Gift Coupons, too.

For free Gift Catalog. Call toll-free: (1-800) 626-5510. (Ky. residents call toll-free: (1-800) 752-6010.)

Warning: The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.

9 mg. "tar", 0 .8 mg. nicotine av. per cigarette by FTC method.

©1978 B&W T Co.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED